

# Shire of Goomalling



## Delegations Register and Register of Authorisations

ADOPTED 18 MAY 2022

## Delegations

The purpose of delegations is to facilitate the effective and efficient operation of the Shire of Goomalling.

The Local Government Act 1995 and several other pieces of legislation allow the Chief Executive Officer (CEO) to be delegated responsibilities to ensure the efficient and effective operation of the local government.

### **Section 5.41 Local Government Act 1995 provides the Functions of the CEO and states that-**

The CEO's functions are to-

- (a) Advise the council in relation to the functions of a local government under this Act and other written laws;
- (b) Ensure that advice and information is available to the Council so that informed decisions can be made;
- (c) Cause council decisions to be implemented;
- (d) Manage the day to day operations of the local government;
- (e) Liaise with the mayor or president on the local governments affairs and the performance of the local governments functions;
- (f) Speak on behalf of the local government if the mayor or president agrees;
- (g) Be responsible for the employment, management, supervision, direction and dismissal of other employees (subject to section 5.37(2) in relation to senior employees);
- (h) Ensure that records and documents of the local government are properly kept for the purposes of this Act and any other written law; and
- (i) Perform any other function specified or delegated by the local government or imposed under this Act or any other written law as a function to be performed by the CEO.

### **Section 5.42 allows the delegation of some powers and duties to the CEO.**

- (1) A local government may delegate\* to the CEO the exercise of any of its powers of the discharge of any of its duties under a. This Act other than those referred to in section 5.43; or b. The Planning and Development Act 2005 section 214(2), (3) or (5) \*absolute majority required
- (2) A delegation made under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

### **There are also limitations on the tasks which can be delegated and section 5.43 of the Local Government Act of 1995 specifically states:**

A local government cannot delegate to a CEO any of the following powers or duties –

- (a) any power or duty that requires a decision of an absolute majority or a 75% majority of the local government;
- (b) accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph;
- (c) appointing an auditor;

## SHIRE OF GOOMALLING – DELEGATIONS REGISTER & AUTHORISATIONS

- (d) acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph;
- (e) any of the local governments powers under section 5.98, 5.98A, 5.99, 5.99A or 5.100;
- (f) borrowing money on behalf of the local government;
- (g) hearing or determining an objection of a kind referred to in section 9.5;
- (h) the power under section 9.49A(4) to authorise a person to sign documents on behalf of the local government;
- (i) any power of duty that required the approval of the minister of Government; (j) such other powers or duties as may be prescribed.

### **The Local Government (Administration) Regulations 1996 r18G, limits on delegations also state that:**

Powers and duties of a local government exercised under the following provisions are prescribed under section 5.43(i) as powers and duties that a local Government cannot delegate; (a) section 7.12A(2) and (3)(a) and (4) and (b) regulation 18 C and D

Regulation 18C and D refer to the selection and performance review of the CEO.

### **Section 5.46 states:**

“Register of, and records relevant to, delegations to CEO and employees

- (1) The CEO is to keep a register of the delegations made under this Division and to the CEO and to employees.
- (2) At least once every financial year, delegations made under this Division are to be reviewed by the delegator.

In this instance the Council is the delegator and hence Council is to review this manual annually. Those powers which the Council has deemed necessary to delegate are reflected in the following pages.

## Delegations

DE1	Payments from Trust and Municipal Funds	5
DE2	Investments	6
DE3	Appointment of Authorised Persons – Local Government Act	7
DE4	Lease Agreements	8
DE5	Appointment of Acting CEO	9
DE6	Write off of Debt	10
DE7	Disposal of Property	11
DE8	Disposal of Surplus Equipment, Materials, Tools Etc	12
DE9	Donations	13
DE10	Consumption of Alcohol at Council Owned Properties	14
DE11	Expressions of Interest prior to Calling for Tenders	15
DE12	Inviting Tenders	16
DE13	Minor Variations to Tenders	17
DE14	Disposing of Confiscated or Uncollected Goods	18
DE15	Cat Act 2011 (Administration & Enforcement)	19
DE16	Dog Act 1976 (Administration & Enforcement)	20
DE17	Thoroughfares Temporary Closure	21
DE18	Ability to Require Property Owners or Occupiers of Land to take Action/s	22
DE19	Powers of Entry	23
DE20	Bush Fires	24
DE21	Speaking on Behalf of the Council	25
DE22	Food Act Prohibition Orders	26
DE23	Food Act Registration of Business	27
DE24	Food Act Prosecutions	28
DE25	Building Act 2011 – Building Permits, Demolition Permits, Occupancy Permits, Building Approval Certificates And Building Orders	29
DE26	Appointment of Authorised Officers Public Health Act 2016	30
DE27	Building Act Permits, Certificates, Orders & Records	31
DE28	Building Act Authorised Persons	32
DE29	Employee Travel and Relocation Expenses	33
DE30	Authorisations of Variations to Budget Estimates	34
DE31	Approval of Credit Cards	35
DE32	Powers Under Local Laws	36
DE33	Rates	37
DE34	Amending the Rate Record	39
DE35	Determination of Applications for Development Approval	40
DE36	Recommendations to the Western Australian Planning Commission (WAPC) regarding Applications for Subdivision / Amalgamation or Strata Title	43
DE37	Clearance of Conditions of Development Approval, or Conditions of Subdivision/Amalgamation or Strata Title Approval	44
DE38	Advising Other Regulatory Authorities on Planning Matters	45
DE39	Planning Appeals, Requests for Reconsideration	46
DE40	Planning Enforcement	47
DE41	Execution of Documents – Landgate	48
	REGISTER OF AUTHORISATIONS & MATRIX	50

**SHIRE OF GOOMALLING – DELEGATIONS REGISTER & AUTHORISATIONS**

Delegation DE1 - Payments from Trust and Municipal Funds	
<b>Function Delegated:</b>	That Council delegates to the Chief Executive Officer the exercise of its power to make payments from the Trust Fund or Municipal Fund (this includes Reserves and Restricted Assets)
<b>Statutory Power Being Delegated:</b>	<b>Local Government (Financial Management) Regulations 1996</b> r. 12(1)(a) Payments from municipal fund or trust fund
<b>Power is Originally Assigned to:</b>	Local Government
<b>Statutory Power of Delegation:</b>	<b>Local Government Act 1995</b> s5.41 Functions of CEO s5.42 Delegation of some powers and duties to the CEO s5.43 Limits on delegations to CEO
<b>Power Delegated to:</b>	Chief Executive Officer
<b>Council Conditions on Delegation:</b>	Nil
<b>Statutory Power to Sub Delegate</b>	<b>Local Government Act 1995</b> s5.44 CEO may delegate powers and duties to other employees
<b>CEO Sub Delegation to:</b>	Deputy CEO/Finance Manager Senior Finance Officer Community Development Officer (When no other authorised officer available)  <b>Medical Practice Account Only</b> Practice Manager – Carlene Brooks Receptionist – Mandy Bird Receptionist – Lara Lord
<b>CEO Conditions on Subdelegation:</b>	Nil
<b>Record Keeping Statement:</b>	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty.
<b>Compliance Links:</b>	<b>Local Government Act 1995</b> <b>(Local Government (Financial Management) Regulations 1996</b> r. 5 Financial management duties of the CEO r. 11 Payment of accounts r. 13 Lists of accounts
<b>Council Policy Link:</b> <b>Strategic Plan Link:</b>	
<b>Delegation Administration: This delegation is to be reviewed annually s5.46(2)</b>	
<b>Decision / Reference:</b> Resolution 484	
<b>1<sup>st</sup> Adopted:</b>	4 March 2015
<b>Last Reviewed:</b>	18 May 2022

**SHIRE OF GOOMALLING – DELEGATIONS REGISTER & AUTHORISATIONS**

<b>Delegation DE2 - Investments</b>	
<b>Function Delegated:</b>	That the Chief Executive Officer be delegated authority to invest Council funds with approved financial institutions as approved by Council to achieve maximum investment potential.
<b>Statutory Power Being Delegated:</b>	<b>Local Government Act 1995</b> s. 6.14 Power to invest <b>Local Government (Financial Management) Regulations 1996</b> r. 19 Management of investments
<b>Power is Originally Assigned to:</b>	Local Government
<b>Statutory Power of Delegation:</b>	<b>Local Government Act 1995</b> s5.41 Functions of CEO s5.42 Delegation of some powers and duties to the CEO s5.43 Limits on delegations to CEO
<b>Power Delegated to:</b>	Chief Executive Officer
<b>Council Conditions on Delegation:</b>	Nil
<b>Statutory Power to Sub Delegate</b>	<b>Local Government Act 1995</b> s5.44 CEO may delegate powers and duties to other employees
<b>CEO Sub Delegation to:</b>	Manager of Finance/Deputy CEO
<b>CEO Conditions on Subdelegation:</b>	Nil
<b>Record Keeping Statement:</b>	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty.
<b>Compliance Links:</b>	<b>Local Government Act 1995</b> s. 6.14(2)(a) Comply with regulations <b>Local Government (Financial Management) Regulations 1996</b> r. 19C Investment of money <b>Trustees Act 1962 Part III Investments</b>
<b>Council Policy Link:</b> <b>Strategic Plan Link:</b>	
<b>Delegation Administration: This delegation is to be reviewed annually s5.46(2)</b>	
<b>Decision / Reference:</b> Resolution 484	
<b>1<sup>st</sup> Adopted:</b>	
<b>Last Reviewed:</b>	18 May 2022

**SHIRE OF GOOMALLING – DELEGATIONS REGISTER & AUTHORISATIONS**

<b>Delegation DE3 – Appointment of Authorised Officers – Local Government Act</b>	
<b>Function Delegated:</b>	Authority to appoint persons or classes of persons as authorised persons for the purpose of fulfilling prescribed functions within the Local Government Act 1995 and the Shire’s Local Laws made under that Act.
<b>Statutory Power Being Delegated:</b>	<b>Local Government Act 1995</b> s. 3.24 Authorising persons under this subdivision s. 3.39 Power to remove and impound s. 9.10 Appointment of authorised persons
<b>Power is Originally Assigned to:</b>	Local Government
<b>Statutory Power of Delegation:</b>	<b>Local Government Act 1995</b> s5.41 Functions of CEO s5.42 Delegation of some powers and duties to the CEO s5.43 Limits on delegations to CEO
<b>Power Delegated to:</b>	Chief Executive Officer
<b>Council Conditions on Delegation:</b>	1. The CEO may, at his discretion, refer any matter to Council for decision; and 2. Details of any prosecutions under a Local Law must be provided to Council.
<b>Statutory Power to Sub Delegate</b>	<b>Local Government Act 1995</b> s5.44 CEO may delegate powers and duties to other employees
<b>CEO Sub Delegation to:</b>	Nil
<b>CEO Conditions on Subdelegation:</b>	Nil
<b>Record Keeping Statement:</b>	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty.
<b>Compliance Links:</b>	<b>Local Government Act 1995</b>
<b>Council Policy Link: Strategic Plan Link:</b>	
<b>Delegation Administration: This delegation is to be reviewed annually s5.46(2)</b>	
<b>Decision / Reference:</b> Resolution 484	
<b>1<sup>st</sup> Adopted:</b>	
<b>Last Reviewed:</b>	18 May 2022

**SHIRE OF GOOMALLING – DELEGATIONS REGISTER & AUTHORISATIONS**

<b>Delegation DE4 – Lease Agreements</b>	
<b>Function Delegated:</b>	Authority to: 1. renew existing lease agreements with charitable, benevolent, religious, cultural, educational, recreational, sporting, environmental or other similar groups or government agencies for properties that are under the care, control and management of the Shire of Goomalling either by management order, lease, sub-lease, licence, sub-licence or freehold; and  2. negotiate new lease agreements with existing lessees whose lease has expired.
<b>Statutory Power Being Delegated:</b>	<b>Local Government Act 1995</b> s. 3.58 Disposing of property
<b>Power is Originally Assigned to:</b>	Local Government
<b>Statutory Power of Delegation:</b>	<b>Local Government Act 1995</b> s5.41 Functions of CEO s5.42 Delegation of some powers and duties to the CEO s5.43 Limits on delegations to CEO
<b>Power Delegated to:</b>	Chief Executive Officer
<b>Council Conditions on Delegation:</b>	Nil
<b>Statutory Power to Sub Delegate</b>	<b>Local Government Act 1995</b> s5.44 CEO may delegate powers and duties to other employees
<b>CEO Sub Delegation to:</b>	Nil
<b>CEO Conditions on Subdelegation:</b>	Nil
<b>Record Keeping Statement:</b>	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty.
<b>Compliance Links:</b>	<b>Local Government Act 1995</b> <b>Local Government (Functions and General) Regulations 1996</b> r. 30 Dispositions of property excluded from Act s. 3.58
<b>Council Policy Link:</b> <b>Strategic Plan Link:</b>	
<b>Delegation Administration: This delegation is to be reviewed annually s5.46(2)</b>	
<b>Decision / Reference:</b> Resolution 484	
<b>1<sup>st</sup> Adopted:</b>	
<b>Last Reviewed:</b>	18 May 2022



**SHIRE OF GOOMALLING – DELEGATIONS REGISTER & AUTHORISATIONS**

<b>Delegation DE5 – Appointment of Acting CEO</b>	
<b>Function Delegated:</b>	Authority to appoint an Acting Chief Executive Officer in accordance with Council policy and for a term not exceeding three months
<b>Statutory Power Being Delegated:</b>	<b>Local Government Act 1995</b> s5.36(1)(a) Local government employees
<b>Power is Originally Assigned to:</b>	Local Government
<b>Statutory Power of Delegation:</b>	<b>Local Government Act 1995</b> s5.41 Functions of CEO s5.42 Delegation of some powers and duties to the CEO s5.43 Limits on delegations to CEO
<b>Power Delegated to:</b>	Chief Executive Officer
<b>Council Conditions on Delegation:</b>	Appointment to be made in accordance with Policy
<b>Statutory Power to Sub Delegate</b>	<b>Local Government Act 1995</b> s5.44 CEO may delegate powers and duties to other employees
<b>CEO Sub Delegation to:</b>	Nil
<b>CEO Conditions on Subdelegation:</b>	Nil
<b>Record Keeping Statement:</b>	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty.
<b>Compliance Links:</b>	<b>Local Government Act 1995</b> <b>Local Government (Administration) Regulations 1996 –</b> r. 18A(1)(b) – acting term not to exceed one year
<b>Council Policy Link:</b> <b>Strategic Plan Link:</b>	
<b>Delegation Administration: This delegation is to be reviewed annually s5.46(2)</b>	
<b>Decision / Reference:</b> Resolution 484	
<b>1<sup>st</sup> Adopted:</b>	
<b>Last Reviewed:</b>	18 May 2022

**SHIRE OF GOOMALLING – DELEGATIONS REGISTER & AUTHORISATIONS**

<b>Delegation DE6 - Write Off of Debts &amp; Hardship Arrangements</b>	
<b>Function Delegated:</b>	The authority to write-off debts and/or negotiate financial hardship arrangements with residents and ratepayers.
<b>Statutory Power Being Delegated:</b>	<b>Local Government Act 1995</b> s3.18 [3c]
<b>Power is Originally Assigned to:</b>	Local Government
<b>Statutory Power of Delegation:</b>	<b>Local Government Act 1995</b> s5.41 Functions of the CEO s5.42 Delegations of some powers and duties to the CEO s5.43 Limitations to delegations
<b>Power Delegated to:</b>	Chief Executive Officer
<b>Council Conditions on Delegation:</b>	The writing off of rates and sundry debts to the value of \$100.00
<b>Statutory Power to Sub Delegate</b>	<b>Local Government Act 1995</b> s5.44 CEO may delegate powers and duties to others
<b>CEO Sub Delegation to:</b>	Nil
<b>CEO Conditions on Subdelegation:</b>	Nil
<b>Record Keeping Statement:</b>	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty
<b>Compliance Links:</b>	<b>Local Government Act 1995</b> s5.41,s5.42,s5.43
<b>Council Policy Link:</b> <b>Strategic Plan Link:</b>	Rates, Sundry Debtors and Charges, Write Offs
<b>Delegation Administration: This delegation is to be reviewed annually s5.46(2)</b>	
<b>Decision / Reference:</b> Resolution 484	
<b>1<sup>st</sup> Adopted:</b>	
<b>Last Reviewed:</b>	18 May 2022

**SHIRE OF GOOMALLING – DELEGATIONS REGISTER & AUTHORISATIONS**

<b>Delegation DE7 - Disposition of Property</b>	
<b>Function Delegated:</b>	Disposition of property (other than land) is an exempt disposition if its market value is less than \$20,000
<b>Statutory Power Being Delegated:</b>	<b>Local Government Act 1995</b> ( s3.58 [3],[5d] <b>Local Government (Functions and General) Regulations</b> r30, r31[3a]
<b>Power is Originally Assigned to:</b>	Local Government
<b>Statutory Power of Delegation:</b>	<b>Local Government Act 1995</b> s5.42 Delegations of some powers and duties to the CEO
<b>Power Delegated to:</b>	Chief Executive Officer
<b>Council Conditions on Delegation:</b>	Subject to s5.43(d) of the Local Government Act 1995 and r30,(s30)(3a) of the Regulations the CEO can dispose of property (other than land) to a maximum value of \$20,000. All disposal of property in excess of this level is to be approved by the Council subject to s3.58 of the Local Government Act of 1995
<b>Statutory Power to Sub Delegate</b>	<b>Local Government Act 1995</b> S5.44 CEO may delegate powers and duties to others s5.43 Limitations to delegations
<b>CEO Sub Delegation to:</b>	Manager of Works Manager of Finance/Deputy CEO
<b>CEO Conditions on Subdelegation:</b>	For the sale of plant and equipment within budget allocation.
<b>Record Keeping Statement:</b>	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty
<b>Compliance Links:</b>	<b>Local Government Act 1995</b>
<b>Council Policy Link: Strategic Plan Link:</b>	
<b>Delegation Administration: This delegation is to be reviewed annually s5.46(2)</b>	
<b>Decision / Reference:</b> Resolution 484	
<b>1<sup>st</sup> Adopted:</b>	
<b>Last Reviewed:</b>	18 May 2022

**SHIRE OF GOOMALLING – DELEGATIONS REGISTER & AUTHORISATIONS**

<b>Delegation DE8 - Disposal of Surplus Equipment, Materials, Tools etc.</b>	
<b>Function Delegated:</b>	The authority to sell by calling for expressions of interest, holding a sale, or any other fair means, items of equipment, materials, tools etc. which are no longer required, or are outmoded or no longer serviceable.
<b>Statutory Power Being Delegated:</b>	<b>Local Government Act 1995</b> s3.18 [3c], s3.58[3]
<b>Power is Originally Assigned to:</b>	Local Government
<b>Statutory Power of Delegation:</b>	<b>Local Government Act 1995</b> s5.42 Delegations of some powers and duties to the CEO s5.43 Limitations to delegations
<b>Power Delegated to:</b>	Chief Executive Officer
<b>Council Conditions on Delegation:</b>	The disposal of all surplus equipment, materials, tools etc, must not exceed a value of \$5,000 per unit. All matters in excess of \$5,000 per unit will be authorised by the Council.
<b>Statutory Power to Sub Delegate</b>	<b>Local Government Act 1995</b> S5.44 CEO may delegate powers and duties to others
<b>CEO Sub Delegation to:</b>	Nil
<b>CEO Conditions on Subdelegation:</b>	Nil
<b>Record Keeping Statement:</b>	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty
<b>Compliance Links:</b>	<b>Local Government Act 1995</b> s3.18(c) and s3.58
<b>Council Policy Link:</b> <b>Strategic Plan Link:</b>	
<b>Delegation Administration: This delegation is to be reviewed annually s5.46(2)</b>	
<b>Decision / Reference:</b> Resolution 484	
<b>1<sup>st</sup> Adopted:</b>	September 2015
<b>Last Reviewed:</b>	18 May 2022

**SHIRE OF GOOMALLING – DELEGATIONS REGISTER & AUTHORISATIONS**

<b>Delegation DE9 - Donations</b>	
<b>Function Delegated:</b>	The ability to make community donations.
<b>Statutory Power Being Delegated:</b>	<b>Local Government Act 1995</b> s3.18[3c]
<b>Power is Originally Assigned to:</b>	Local Government
<b>Statutory Power of Delegation:</b>	<b>Local Government Act 1995</b> s5.42 Delegations of some powers and duties to the CEO s5.43 Limitations to delegations
<b>Power Delegated to:</b>	Chief Executive Officer
<b>Council Conditions on Delegation:</b>	Maximum limit of \$300 per donation Donations are subject to budget availability Annual expenditure not to exceed the amount designated in the annual budget
<b>Statutory Power to Sub Delegate</b>	<b>Local Government Act 1995</b> s5.44 CEO may delegate powers and duties to others
<b>CEO Sub Delegation to:</b>	Nil
<b>CEO Conditions on Subdelegation:</b>	Nil
<b>Record Keeping Statement:</b>	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty
<b>Compliance Links:</b>	Nil
<b>Council Policy Link: Strategic Plan Link:</b>	Rates, Sundry Debtors and Charges, Write Offs
<b>Delegation Administration: This delegation is to be reviewed annually s5.46(2)</b>	
<b>Decision / Reference:</b> Resolution 484	
<b>1<sup>st</sup> Adopted:</b>	
<b>Last Reviewed:</b>	18 May 2022

**SHIRE OF GOOMALLING – DELEGATIONS REGISTER & AUTHORISATIONS**

<b>Delegation DE10 - Consumption of Alcohol – Council Property</b>	
<b>Function Delegated:</b>	The CEO is delegated the authority to approve applications for the consumption of liquor from property under the care, control and management of the Council
<b>Statutory Power Being Delegated:</b>	<b>Local Government Act 1995,</b> s.3.18
<b>Power is Originally Assigned to:</b>	Local Government
<b>Statutory Power of Delegation:</b>	<b>Local Government Act 1995</b> s5.42 Delegations of some powers and duties to the CEO s5.43 Limitations to delegations
<b>Power Delegated to:</b>	Chief Executive Officer
<b>Council Conditions on Delegation:</b>	The Chief Executive Officer can approve the consumption of alcohol on Council premises, and must ensure that the applicant is aware of their requirements under state legislation and compliance with Council policy on using a Council Facility
<b>Statutory Power to Sub Delegate</b>	<b>Local Government Act 1995</b> s5.44 CEO may delegate powers and duties to others
<b>CEO Sub Delegation to:</b>	Manager of Works Manager of Finance/Deputy CEO
<b>CEO Conditions on Subdelegation:</b>	Nil
<b>Record Keeping Statement:</b>	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty
<b>Compliance Links:</b>	<b>Local Government Act 1995</b>
<b>Council Policy Link:</b> <b>Strategic Plan Link:</b>	
<b>Delegation Administration: This delegation is to be reviewed annually s5.46(2)</b>	
<b>Decision / Reference:</b> Resolution 484	
<b>1<sup>st</sup> Adopted:</b>	2015
<b>Last Reviewed:</b>	18 May 2022

**SHIRE OF GOOMALLING – DELEGATIONS REGISTER & AUTHORISATIONS**

<b>Delegation DE11 - Expressions of Interest Prior to Calling Tenders</b>	
<b>Function Delegated:</b>	The local government may seek expressions of interest before entering the tender process.
<b>Statutory Power Being Delegated:</b>	<b>Local Government Act 1995</b> (s3.57 [1]) <b>Local Government (Functions and General) Regulations</b> (r21 [1,2,3,4]) r22
<b>Power is Originally Assigned to:</b>	Local Government
<b>Statutory Power of Delegation:</b>	<b>Local Government Act 1995</b> s5.42 Delegations of some powers and duties to the CEO
<b>Power Delegated to:</b>	Chief Executive Officer
<b>Council Conditions on Delegation:</b>	<p>If the local government thinks that there is a good reason to make a preliminary selection from prospective tenderers it may seek expressions of interest. There is good reason to make preliminary selection if, because of;</p> <ul style="list-style-type: none"> <li>• The nature of the goods or services required; or</li> <li>• The cost of preparing plans, specifications or other information for the purpose of adequately describing the goods or services required,</li> </ul> <p>it would be advantageous to the local government if tenders were only invited from persons it considers capable of satisfactorily supplying the goods or services.</p> <p>*Statewide public notice must be given. Refer r21.4</p>
<b>Statutory Power to Sub Delegate</b>	<b>Local Government Act 1995</b> S5.44 CEO may delegate powers and duties to others
<b>CEO Sub Delegation to:</b>	Manager of Works Manager of Finance/Deputy CEO
<b>CEO Conditions on Subdelegation:</b>	Sub-delegated Managers may call for expressions of interest.
<b>Record Keeping Statement:</b>	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty
<b>Compliance Links:</b>	<b>Local Government Act 1995</b> s3.57 <b>Local Government (Functions and General) Regulations 1996</b> r11 (1) and (2b), r14(4c)
<b>Council Policy Link:</b> <b>Strategic Plan Link:</b>	Purchasing Policy
<b>Delegation Administration: This delegation is to be reviewed annually s5.46(2)</b>	
<b>Decision / Reference:</b> Resolution 484	
<b>1<sup>st</sup> Adopted:</b>	
<b>Last Reviewed:</b>	18 May 2022

**SHIRE OF GOOMALLING – DELEGATIONS REGISTER & AUTHORISATIONS**

<b>Delegation DE12 - Inviting Tenders</b>	
<b>Function Delegated:</b>	The requirement to invite tenders before entering into a contract for goods and services with a value of \$150,000 or more. Tenders do not have to be publicly invited according to the requirements, if the supply of the goods or services is to be obtained through the Council Purchasing Service of WALGA.  Special conditions are in place for the 2020 COVID-19 Pandemic whereby this delegation and the tender threshold has been increased to \$250,000 for the duration of the state of emergency as per the amended regulations.
<b>Statutory Power Being Delegated:</b>	<b>Local Government Act 1995</b> (s3.57 [1]) <b>Local Government (Functions and General) Regulations</b> (r11 [1],r14 [4c])
<b>Power is Originally Assigned to:</b>	Local Government
<b>Statutory Power of Delegation:</b>	<b>Local Government Act 1995</b> s5.42 Delegations of some powers and duties to the CEO
<b>Power Delegated to:</b>	Chief Executive Officer
<b>Council Conditions on Delegation:</b>	Tenders must be called for the purchase of all goods over \$150,000 unless WALGA Council Purchasing Services are utilised which removes the requirement to Tender  All tenders are to be approved by Council  Tender documents must determine in writing the criteria for accepting tenders That tenders are for items approved in the budget  Special conditions are in place for the 2020 COVID-19 Pandemic whereby this delegation and the tender threshold has been increased to \$250,000 for the duration of the state of emergency as per the amended regulations.
<b>Statutory Power to Sub Delegate</b>	<b>Local Government Act 1995</b> S5.44 CEO may delegate powers and duties to others
<b>CEO Sub Delegation to:</b>	Manager of Works Manager of Finance/Deputy CEO
<b>CEO Conditions on Subdelegation:</b>	Sub-delegated Managers may call for tenders
<b>Record Keeping Statement:</b>	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty
<b>Compliance Links:</b>	<b>Local Government Act 1995</b> s3.57 <b>Local Government (Functions and General) Regulations 1996</b> r11 (1) and (2b), r14(4c)
<b>Council Policy Link:</b> <b>Strategic Plan Link:</b>	Purchasing Policy
<b>Delegation Administration: This delegation is to be reviewed annually s5.46(2)</b>	
<b>Decision / Reference:</b> Resolution 484	
<b>1<sup>st</sup> Adopted:</b>	2015
<b>Last Reviewed:</b>	18 May 2022



**SHIRE OF GOOMALLING – DELEGATIONS REGISTER & AUTHORISATIONS**

<b>Delegation DE13 - Minor Variations to Tenders</b>	
<b>Function Delegated:</b>	The local government may, with the approval of the tenderer, make a minor variation in a contract for goods or services before it enters into the contract with the successful tenderer, without having to tender again.
<b>Statutory Power Being Delegated:</b>	<b>Local Government Act 1995</b> (s3.57 [1]) <b>Local Government (Functions and General) Regulations</b> r20[1,2,3]
<b>Power is Originally Assigned to:</b>	Local Government
<b>Statutory Power of Delegation:</b>	<b>Local Government Act 1995</b> s5.42 Delegations of some powers and duties to the CEO
<b>Power Delegated to:</b>	Chief Executive Officer
<b>Council Conditions on Delegation:</b>	The variation costs must be within the budget allocation. Any increased costs will require Council approval
<b>Statutory Power to Sub Delegate</b>	<b>Local Government Act 1995</b> S5.44 CEO may delegate powers and duties to others
<b>CEO Sub Delegation to:</b>	Manager of Works Manager of Finance/Deputy CEO
<b>CEO Conditions on Subdelegation:</b>	All minor variations are to be approved by the Chief Executive Officer
<b>Record Keeping Statement:</b>	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty
<b>Compliance Links:</b>	<b>Local Government Act 1995</b> s.3.57 <b>Local Government (Functions and General) Regulations 1996</b> r.20
<b>Council Policy Link:</b> <b>Strategic Plan Link:</b>	Purchasing Policy
<b>Delegation Administration: This delegation is to be reviewed annually s5.46(2)</b>	
<b>Decision / Reference:</b> Resolution 484	
<b>1<sup>st</sup> Adopted:</b>	
<b>Last Reviewed:</b>	18 May 2022

**SHIRE OF GOOMALLING – DELEGATIONS REGISTER & AUTHORISATIONS**

<b>Delegation DE14 - Disposing of Confiscated or Uncollected Goods</b>	
<b>Function Delegated:</b>	The local government may sell or otherwise dispose of impounded goods that have not been collected within the period specified in subsection 2a and 2b.
<b>Statutory Power Being Delegated:</b>	<b>Local Government Act 1995,</b> s.3.47(2a, b)
<b>Power is Originally Assigned to:</b>	Local Government
<b>Statutory Power of Delegation:</b>	<b>Local Government Act 1995</b> s5.42 Delegations of some powers and duties to the CEO s5.43 Limitations to delegations
<b>Power Delegated to:</b>	Chief Executive Officer
<b>Council Conditions on Delegation:</b>	The local government may sell or otherwise dispose of impounded goods that have not been collected within the period specified in subsection 2b of <ul style="list-style-type: none"> <li>a) A notice has been given under section 3.42(1)(b) or 3.44; or</li> <li>b) Being impounded if the local government has been unable, after making reasonable efforts to do so, to give that notice to the alleged offender.</li> </ul> (2b) The period after which goods may be sold or otherwise disposed of under subsection (2a) is <ul style="list-style-type: none"> <li>a) for perishable goods – 3 days;</li> <li>b) for animals – 7 days;</li> <li>c) abandoned vehicle wreck – 7 days.</li> </ul>
<b>Statutory Power to Sub Delegate</b>	<b>Local Government Act 1995</b> s5.44 CEO may delegate powers and duties to others
<b>CEO Sub Delegation to:</b>	Manager of Works Manager of Finance/Deputy CEO
<b>CEO Conditions on Subdelegation:</b>	Nil
<b>Record Keeping Statement:</b>	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty
<b>Compliance Links:</b>	<b>Local Government Act 1995 s.3.47</b>
<b>Council Policy Link:</b> <b>Strategic Plan Link:</b>	
<b>Delegation Administration: This delegation is to be reviewed annually s5.46(2)</b>	
<b>Decision / Reference: Resolution 484</b>	
<b>1<sup>st</sup> Adopted:</b>	
<b>Last Reviewed:</b>	18 May 2022

**SHIRE OF GOOMALLING – DELEGATIONS REGISTER & AUTHORISATIONS**

<b>Delegation DE15 - Cat Act 2011 (Administration and Enforcement)</b>	
<b>Function Delegated:</b>	The local government may delegate to its CEO the exercise of any of its powers or the discharge of any of its duties under another provision of the Cat Act.
<b>Statutory Power Being Delegated:</b>	<b>Cat Act 2011,</b> s.45 <b>Cat Act Regulations 2012</b>
<b>Power is Originally Assigned to:</b>	Local Government
<b>Statutory Power of Delegation:</b>	<b>Cat Act 2011</b> s44
<b>Power Delegated to:</b>	Chief Executive Officer
<b>Council Conditions on Delegation:</b>	The Chief Executive Officer will issue certificates of authorisation to authorised officers.
<b>Statutory Power to Sub Delegate</b>	<b>Cat Act 2011,</b> s.45
<b>CEO Sub Delegation to:</b>	Manager of Works Manager of Finance/Deputy CEO Contract Ranger Leading Hand
<b>CEO Conditions on Subdelegation:</b>	Sections 63, 64, 65 of the Cat Act 2011 cannot be delegated to the Authorised Officers and remain with the CEO
<b>Record Keeping Statement:</b>	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty
<b>Compliance Links:</b>	<b>Local Government Act 1995</b> <b>Cat Act 2011</b>
<b>Council Policy Link:</b> <b>Strategic Plan Link:</b>	
<b>Delegation Administration: This delegation is to be reviewed annually s5.46(2)</b>	
<b>Decision / Reference:</b> Resolution 484	
<b>1<sup>st</sup> Adopted:</b>	September 2015
<b>Last Reviewed:</b>	18 May 2022

**SHIRE OF GOOMALLING – DELEGATIONS REGISTER & AUTHORISATIONS**

<b>Delegation DE16 - Dog Act 1976 (Administration and Enforcement)</b>	
<b>Function Delegated:</b>	It shall be the duty of the local government within its district to administer and enforce the provisions of this Act. A person who is authorised by the Dog Act shall be furnished with a certificate.
<b>Statutory Power Being Delegated:</b>	<b>Dog Act 1976</b> s9 <b>Dog Amendment Bill 2013</b> s10AA
<b>Power is Originally Assigned to:</b>	Local Government
<b>Statutory Power of Delegation:</b>	<b>Dog Act 1976</b> s9
<b>Power Delegated to:</b>	Chief Executive Officer
<b>Council Conditions on Delegation:</b>	The Chief Executive Officer will issue certificates of authorisation to authorised officers.
<b>Statutory Power to Sub Delegate</b>	Nil – Appointment of Authorised Officers
<b>CEO Sub Delegation to:</b>	Nil
<b>CEO Conditions on Subdelegation:</b>	Nil
<b>Record Keeping Statement:</b>	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty
<b>Compliance Links:</b>	<b>Local Government Act 1995</b> <b>Dog Act 1976</b>
<b>Council Policy Link:</b> <b>Strategic Plan Link:</b>	
<b>Delegation Administration: This delegation is to be reviewed annually s5.46(2)</b>	
<b>Decision / Reference:</b> Resolution 484	
<b>1<sup>st</sup> Adopted:</b>	September 2015
<b>Last Reviewed:</b>	18 May 2022

**SHIRE OF GOOMALLING – DELEGATIONS REGISTER & AUTHORISATIONS**

<b>Delegation DE17 - Thoroughfares Temporary Closure</b>	
<b>Function Delegated:</b>	A local government may close any thoroughfare that it manages to the passage of vehicles, wholly or partially, for a period not exceeding 4 weeks.
<b>Statutory Power Being Delegated:</b>	<b>Local Government Act 1995,</b> s3.50, s3.50A
<b>Power is Originally Assigned to:</b>	Local Government
<b>Statutory Power of Delegation:</b>	<b>Local Government Act 1995</b> s5.42 Delegations of some powers and duties to the CEO s5.43 Limitations to delegations
<b>Power Delegated to:</b>	Chief Executive Officer
<b>Council Conditions on Delegation:</b>	Nil
<b>Statutory Power to Sub Delegate</b>	<b>Local Government Act 1995</b> s5.44 CEO may delegate powers and duties to others
<b>CEO Sub Delegation to:</b>	Manager of Works
<b>CEO Conditions on Subdelegation:</b>	Nil
<b>Record Keeping Statement:</b>	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty
<b>Compliance Links:</b>	<b>Local Government Act 1995</b>
<b>Council Policy Link:</b> <b>Strategic Plan Link:</b>	Thoroughfares Temporary Closure
<b>Delegation Administration: This delegation is to be reviewed annually s5.46(2)</b>	
<b>Decision / Reference:</b> Resolution 484	
<b>1<sup>st</sup> Adopted:</b>	
<b>Last Reviewed:</b>	18 May 2022

**SHIRE OF GOOMALLING – DELEGATIONS REGISTER & AUTHORISATIONS**

<b>Delegation DE18 - Ability to Require Property Owners or Occupiers of Land to take Action/s</b>	
<b>Function Delegated:</b>	A local government may give an owner or occupier of land a notice requiring them to do something to the land if it is specified in schedule 3.1 or other sections of the act. The local government must inform the owner, if the occupier is not the owner.
<b>Statutory Power Being Delegated:</b>	<b>Local Government Act 1995</b> (s3.24), (s3.25[1],[3]), Schedule 3.1
<b>Power is Originally Assigned to:</b>	Local Government
<b>Statutory Power of Delegation:</b>	<b>Local Government Act 1995</b> s5.42 Delegations of some powers and duties to the CEO
<b>Power Delegated to:</b>	Chief Executive Officer
<b>Council Conditions on Delegation:</b>	As specified in Schedule 3.1
<b>Statutory Power to Sub Delegate</b>	<b>Local Government Act 1995</b> (s5.44) CEO may delegate some powers and duties to other employees
<b>CEO Sub Delegation to:</b>	Manager of Works Manager of Finance/Deputy CEO Contract Ranger
<b>CEO Conditions on Subdelegation:</b>	Nil
<b>Record Keeping Statement:</b>	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty
<b>Compliance Links:</b>	<b>Local Government Act 1995</b> Schedule 3.1
<b>Council Policy Link:</b> <b>Strategic Plan Link:</b>	
<b>Delegation Administration: This delegation is to be reviewed annually s5.46(2)</b>	
<b>Decision / Reference:</b> Resolution 484	
<b>1<sup>st</sup> Adopted:</b>	
<b>Last Reviewed:</b>	18 May 2022

**SHIRE OF GOOMALLING – DELEGATIONS REGISTER & AUTHORISATIONS**

<b>Delegation DE19 - Powers of Entry</b>	
<b>Function Delegated:</b>	Authority to: 1. Enter on to land to perform any function of the local government under Schedules 3.1 and 3.2 of the Act; 2. Give a notice of entry (s. 3.32); 3. Seek and execute an entry under warrant (s. 3.33); 4. Execute entry in an emergency (s. 3.34) 5. Give notice and effect entry by opening a fence (s. 3.36).
<b>Statutory Power Being Delegated:</b>	<b>Local Government Act 1995</b> s. 3.32 Notice of entry s. 3.33 Entry under warrant s. 3.34 Entry in an emergency s. 3.36 Opening fences
<b>Power is Originally Assigned to:</b>	Local Government
<b>Statutory Power of Delegation:</b>	<b>Local Government Act 1995</b> s5.42 Delegations of some powers and duties to the CEO
<b>Power Delegated to:</b>	Chief Executive Officer
<b>Council Conditions on Delegation:</b>	As specified in Schedule 3.1
<b>Statutory Power to Sub Delegate</b>	<b>Local Government Act 1995</b> (s5.44) CEO may delegate some powers and duties to other employees
<b>CEO Sub Delegation to:</b>	Manager of Works Leading Hand Manager of Finance/Deputy CEO Contract Ranger
<b>CEO Conditions on Subdelegation:</b>	Nil
<b>Record Keeping Statement:</b>	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty
<b>Compliance Links:</b>	<b>Local Government Act 1995</b> Part 3 Division 3 Subdivision 3, and specifically s. 3.31 General procedure for entering property
<b>Council Policy Link:</b> <b>Strategic Plan Link:</b>	
<b>Delegation Administration: This delegation is to be reviewed annually s5.46(2)</b>	
<b>Decision / Reference:</b> Resolution 484	
<b>1<sup>st</sup> Adopted:</b>	
<b>Last Reviewed:</b>	18 May 2022

**SHIRE OF GOOMALLING – DELEGATIONS REGISTER & AUTHORISATIONS**

<b>Delegation DE20 - Bush Fires</b>	
<b>Function Delegated:</b>	A local government may in writing, delegate to its Chief Executive Officer the performance of any of its functions under this act.
<b>Statutory Power Being Delegated:</b>	<b>Bush Fires Act 1954</b>
<b>Power is Originally Assigned to:</b>	Local Government
<b>Statutory Power of Delegation:</b>	<b>Bush Fires Act 1954</b> s48(1)
<b>Power Delegated to:</b>	Chief Executive Officer
<b>Council Conditions on Delegation:</b>	Nil
<b>Statutory Power to Sub Delegate</b>	S48(3) A delegation under this section does not include the power to sub-delegate.
<b>CEO Sub Delegation to:</b>	Not Allowed
<b>CEO Conditions on Subdelegation:</b>	Nil
<b>Record Keeping Statement:</b>	Nil
<b>Compliance Links:</b>	<b>Bush Fires Act 1954</b>
<b>Council Policy Link:</b> <b>Strategic Plan Link:</b>	
<b>Delegation Administration: This delegation is to be reviewed annually s5.46(2)</b>	
<b>Decision / Reference:</b> Resolution 484	
<b>1<sup>st</sup> Adopted:</b>	
<b>Last Reviewed:</b>	18 May 2022



**SHIRE OF GOOMALLING – DELEGATIONS REGISTER & AUTHORISATIONS**

<b>Delegation DE21 – Speaking on Behalf of the Council</b>	
<b>Function Delegated:</b>	The authority to speak on and represent the view of the Council of the Shire of Goomalling to the media and other third parties when the Shire President is not available.
<b>Statutory Power Being Delegated:</b>	<b>Local Government Act 1995</b> s5.42 Delegation of some powers and duties to the CEO
<b>Power is Originally Assigned to:</b>	Local Government
<b>Statutory Power of Delegation:</b>	<b>Local Government Act 1995</b> s5.41 Functions of CEO s5.42 Delegation of some powers and duties to the CEO s5.43 Limits on delegations to CEO
<b>Power Delegated to:</b>	Chief Executive Officer
<b>Council Conditions on Delegation:</b>	Nil
<b>Statutory Power to Sub Delegate</b>	<b>Local Government Act 1995</b> s5.44 CEO may delegate powers and duties to other employees
<b>CEO Sub Delegation to:</b>	Nil
<b>CEO Conditions on Subdelegation:</b>	Nil
<b>Record Keeping Statement:</b>	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty.
<b>Compliance Links:</b>	<b>Local Government Act 1995</b>
<b>Council Policy Link:</b> <b>Strategic Plan Link:</b>	
<b>Delegation Administration: This delegation is to be reviewed annually s5.46(2)</b>	
<b>Decision / Reference:</b> Resolution 484	
<b>1<sup>st</sup> Adopted:</b>	September 2015
<b>Last Reviewed:</b>	18 May 2022

**SHIRE OF GOOMALLING – DELEGATIONS REGISTER & AUTHORISATIONS**

<b>Delegation DE22 - Food Act – Prohibition Orders</b>	
<b>Function Delegated:</b>	<ul style="list-style-type: none"> <li>• Serve Prohibition Order on food business</li> <li>• Issue Certification of Clearance</li> <li>• Reinspect a food business</li> </ul>
<b>Statutory Power Being Delegated:</b>	<b>Food Act 2008</b> s65(1) Prohibition Order s66 Certificate of Clearance s67(4) Request for reinspection.
<b>Power is Originally Assigned to:</b>	Local Government (As Enforcement Agency)
<b>Statutory Power of Delegation:</b>	<b>Food Act 2008</b> s.118(2)(b) Local Government (enforcement agency) may delegate a function conferred on it s.118(3) Delegation is subject to conditions [s.119] and guidelines adopted (s.120) s.118(4) Sub delegation only permissible if expressly provided in regulations
<b>Power Delegated to:</b>	Chief Executive Officer
<b>Council Conditions on Delegation:</b>	Nil
<b>Statutory Power to Sub Delegate</b>	s.118(4) Sub delegation only permissible if expressly provided in regulations
<b>CEO Sub Delegation to:</b>	Contract Environmental Health Officer
<b>CEO Conditions on Subdelegation:</b>	Nil
<b>Record Keeping Statement:</b>	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty
<b>Compliance Links:</b>	Food Act 2008 Local Government Act 1995
<b>Council Policy Link:</b> <b>Strategic Plan Link:</b>	
<b>Delegation Administration: This delegation is to be reviewed annually s5.46(2)</b>	
<b>Decision / Reference:</b> Resolution 484	
<b>1<sup>st</sup> Adopted:</b>	September 2015
<b>Last Reviewed:</b>	18 May 2022

**SHIRE OF GOOMALLING – DELEGATIONS REGISTER & AUTHORISATIONS**

<b>Delegation DE23 - Food Act Registration of a Food Business</b>	
<b>Function Delegated:</b>	<ul style="list-style-type: none"> <li>• Register a food business</li> <li>• Grant or refuse application for a food business</li> <li>• Vary the conditions or cancel the registration of a food business</li> </ul>
<b>Statutory Power Being Delegated:</b>	<b>Food Act 2008</b> s110 (1) and (5) Registration of a Food Business s112 Variation of conditions or cancellation of registration of food businesses.
<b>Power is Originally Assigned to:</b>	Local Government (Enforcement Agency)
<b>Statutory Power of Delegation:</b>	<b>Food Act 2008</b> s118(2)(b) Local Government (Enforcement Agency) may delegate a function conferred on it s118(3) Delegation is subject to conditions [s119] and guidelines adopted (s120) s118(4) Sub delegation only permissible if expressly provided in regulations.
<b>Power Delegated to:</b>	Chief Executive Officer
<b>Council Conditions on Delegation:</b>	Nil
<b>Statutory Power to Sub Delegate</b>	<b>Food Act 2008</b> s118(4) Sub delegation only permissible if expressly provided in regulations
<b>CEO Sub Delegation to:</b>	Contract Environmental Health Officer
<b>CEO Conditions on Subdelegation:</b>	Nil
<b>Record Keeping Statement:</b>	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty
<b>Compliance Links:</b>	<b>Food Act 2008</b> <b>Food Regulations 2009</b> <b>Local Government Act 1995</b>
<b>Council Policy Link:</b> <b>Strategic Plan Link:</b>	
<b>Delegation Administration: This delegation is to be reviewed annually s5.46(2)</b>	
<b>Decision / Reference:</b> Resolution 484	
<b>1<sup>st</sup> Adopted:</b>	September 2015
<b>Last Reviewed:</b>	18 May 2022

**SHIRE OF GOOMALLING – DELEGATIONS REGISTER & AUTHORISATIONS**

<b>Delegation DE24 - Food Act Prosecutions</b>	
<b>Function Delegated:</b>	Initiate proceedings for an offence under s125 of the Food Act 2008
<b>Statutory Power Being Delegated:</b>	<b>Food Act 2008</b> s.125 Institution of proceedings
<b>Power is Originally Assigned to:</b>	Local Government (Enforcement Agency)
<b>Statutory Power of Delegation:</b>	<b>Food Act 2008</b> s118(2)(b) Local Government (Enforcement Agency) may delegate a function conferred on it s118(3) Delegation is subject to conditions [s119] and guidelines adopted (s120) s118(4) Sub delegation only permissible if expressly provided in regulations Power
<b>Power Delegated to:</b>	Chief Executive Officer
<b>Council Conditions on Delegation:</b>	Nil
<b>Statutory Power to Sub Delegate</b>	<b>Food Act 2008</b> s118(4) Sub delegation only permissible if expressly provided in regulations
<b>CEO Sub Delegation to:</b>	Contract Environmental Health Officer
<b>CEO Conditions on Subdelegation:</b>	Nil
<b>Record Keeping Statement:</b>	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty
<b>Compliance Links:</b>	<b>Food Act 2008</b> <b>Food Regulations 2009</b> <b>Local Government Act 1995</b>
<b>Council Policy Link:</b> <b>Strategic Plan Link:</b>	
<b>Delegation Administration: This delegation is to be reviewed annually s5.46(2)</b>	
<b>Decision / Reference:</b> Resolution 484	
<b>1<sup>st</sup> Adopted:</b>	September 2015
<b>Last Reviewed:</b>	18 May 2022

**SHIRE OF GOOMALLING – DELEGATIONS REGISTER & AUTHORISATIONS**

<b>Delegation DE25 – Building Act 2011 – Building Permits, Demolition Permits, Occupancy Permits, Building Approval Certificates And Building Orders</b>	
<b>Function Delegated:</b>	<p>Approve or refuse building permit applications, demolition permit applications, occupancy permit (including extension of permit), building approval certificate (including extension of certificate), building approval certificates (strata) and issue and revocation of building orders.</p> <p>Authority for suitably qualified persons who, in the opinion of the Chief Executive Officer have the qualifications to undertake the roles and functions of a building surveyor, to administer Building Act 2011 sections:</p> <p>20 - Grant of building permit                  21 - Grant of demolition permit                  22 - Further grounds for not granting an application                  27 - Conditions imposed by permit authority                  55 - Occupancy permits and building approval certificates, further information                  58 - Grant of occupancy permit, building approval certificate                  62 - Conditions imposed by permit authority                  65 - Extension of period of duration                  110 - Building orders                  117 - Revocation of building order                  118 - Permit authority may give effect to building order if non-compliance; and                  131 - Inspection, copies of building records.</p>
<b>Statutory Power Being Delegated:</b>	Building Act 2011 s. 20, 21, 22, 27, 55, 58, 62, 65, 110, 117, 118 and 131
<b>Power is Originally Assigned to:</b>	Local Government
<b>Statutory Power of Delegation:</b>	<b>Building Act 2011</b> s. 127 Delegation: special permit authorities and local governments
<b>Power Delegated to:</b>	Chief Executive Officer
<b>Council Conditions on Delegation:</b>	Nil
<b>Statutory Power to Sub Delegate</b>	<b>Building Act 2011</b> s. 127(6A) Delegation: special permit authorities and local governments – power to sub-delegate is limited to CEO's
<b>CEO Sub Delegation to:</b>	Contract Building Surveyor
<b>CEO Conditions on Subdelegation:</b>	Nil
<b>Record Keeping Statement:</b>	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty
<b>Compliance Links:</b>	<b>Building Act 2011</b> <b>Building Regulations 2012</b> <b>National Construction Code</b>
<b>Council Policy Link:</b> <b>Strategic Plan Link:</b>	
<b>Delegation Administration: This delegation is to be reviewed annually s5.46(2)</b>	
<b>Decision / Reference: 484</b>	
<b>1<sup>st</sup> Adopted:</b>	September 2020
<b>Last Reviewed:</b>	18 May 2022

**SHIRE OF GOOMALLING – DELEGATIONS REGISTER & AUTHORISATIONS**

<b>Delegation DE26 - Appointment of Authorised Officers – Public Health Act 2016</b>	
<b>Function Delegated:</b>	Authority to designate a person or class of persons as Authorised Officers for the purpose of fulfilling prescribed functions of the Public Health Act 2016. Authority to issue Certificates of Authority to persons designated as Authorised Officers.
<b>Statutory Power Being Delegated:</b>	<b>Public Health Act 2016</b> s. 24 Designation of authorised officers s. 30 Certificates of authority
<b>Power is Originally Assigned to:</b>	Local Government
<b>Statutory Power of Delegation:</b>	<b>Public Health Act 2016</b> s. 21 Enforcement agency may delegate
<b>Power Delegated to:</b>	Chief Executive Officer
<b>Council Conditions on Delegation:</b>	The CEO may, at his discretion, refer any matter to Council for decision
<b>Statutory Power to Sub Delegate</b>	Nil
<b>CEO Sub Delegation to:</b>	N/A
<b>CEO Conditions on Subdelegation:</b>	N/A
<b>Record Keeping Statement:</b>	Nil
<b>Compliance Links:</b>	Nil
<b>Council Policy Link: Strategic Plan Link:</b>	
<b>Delegation Administration: This delegation is to be reviewed annually s5.46(2)</b>	
<b>Decision / Reference:</b> Resolution 484	
<b>1<sup>st</sup> Adopted:</b>	
<b>Last Reviewed:</b>	18 May 2022

**SHIRE OF GOOMALLING – DELEGATIONS REGISTER & AUTHORISATIONS**

<b>Delegation DE27 - Building Act 2011 – Permits, Certificates, Orders and Records</b>	
<b>Function Delegated:</b>	Authority for suitably qualified persons who, in the opinion of the Chief Executive Officer have the qualifications to undertake the roles and functions of a building surveyor, to administer Building Act 2011 sections: 20 - Grant of building permit 21 - Grant of demolition permit 22 - Further grounds for not granting an application 27 - Conditions imposed by permit authority 55 - Occupancy permits and building approval certificates, further information 58 - Grant of occupancy permit, building approval certificate 62 - Conditions imposed by permit authority 65 - Extension of period of duration 110 - Building orders 117 - Revocation of building order 118 - Permit authority may give effect to building order if non-compliance; and 131 - Inspection, copies of building records.
<b>Statutory Power Being Delegated:</b>	<b>Building Act 2011</b> s. 20, 21, 22, 27, 55, 58, 62, 65, 110, 117, 118 and 131
<b>Power is Originally Assigned to:</b>	Local Government
<b>Statutory Power of Delegation:</b>	<b>Building Act 2011</b> s. 127 Delegation: special permit authorities and local governments
<b>Power Delegated to:</b>	Chief Executive Officer
<b>Council Conditions on Delegation:</b>	As specified in Schedule 3.1
<b>Statutory Power to Sub Delegate</b>	<b>Building Act 2011</b> s. 127(6A) Delegation: special permit authorities and local governments – power to sub-delegate is limited to CEO's
<b>CEO Sub Delegation to:</b>	Contract Building Surveyor
<b>CEO Conditions on Subdelegation:</b>	Nil
<b>Record Keeping Statement:</b>	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty
<b>Compliance Links:</b>	<b>Building Act 2011</b> <b>Building Regulations 2012</b> <b>National Construction Code</b>
<b>Council Policy Link:</b> <b>Strategic Plan Link:</b>	
<b>Delegation Administration: This delegation is to be reviewed annually s5.46(2)</b>	
<b>Decision / Reference:</b> Resolution 484	
<b>1st Adopted:</b>	September 2015
<b>Last Reviewed:</b>	18 May 2022

**SHIRE OF GOOMALLING – DELEGATIONS REGISTER & AUTHORISATIONS**

<b>Delegation 28 - Building Act 2011 - Authorised Persons</b>	
<b>Function Delegated:</b>	Authority to: 1. Designate an employee as an authorised person under s. 96(3) of the Building Act 2011; and 2. Limit the powers of an authorised person by imposing conditions on a person's instrument of designation or by written notice and at any time revoke or vary such condition or notice.
<b>Statutory Power Being Delegated:</b>	<b>Building Act 2011</b> s. 96(3) Authorised persons s. 99 Limitation on powers of authorised person
<b>Power is Originally Assigned to:</b>	Local Government
<b>Statutory Power of Delegation:</b>	<b>Building Act 2011</b> s. 127 Delegation: special permit authorities and local governments
<b>Power Delegated to:</b>	Chief Executive Officer
<b>Council Conditions on Delegation:</b>	CEO to be satisfied that authorised person is suitably qualified in accordance with s. 5.36(3) of the Local Government Act 1995.
<b>Statutory Power to Sub Delegate</b>	<b>Building Act 2011</b> s. 127(6A) Delegation: special permit authorities and local governments – power to sub-delegate is limited to CEO's
<b>CEO Sub Delegation to:</b>	Nil
<b>CEO Conditions on Subdelegation:</b>	N/A
<b>Record Keeping Statement:</b>	Nil
<b>Compliance Links:</b>	<b>Building Act 2011 Building Regulations 2012 National Construction Code</b>
<b>Council Policy Link: Strategic Plan Link:</b>	
<b>Delegation Administration: This delegation is to be reviewed annually s5.46(2)</b>	
<b>Decision / Reference: Resolution 484</b>	
<b>1<sup>st</sup> Adopted:</b>	September 2015
<b>Last Reviewed:</b>	18 May 2022



**SHIRE OF GOOMALLING – DELEGATIONS REGISTER & AUTHORISATIONS**

<b>Delegation DE29 - Employee Relocation Expenses and Travel Expenses.</b>	
<b>Function Delegated:</b>	The ability to authorise the payment of travel and relocation expenses for employees.
<b>Statutory Power Being Delegated:</b>	<b>Local Government Act 1995</b> s5.41
<b>Power is Originally Assigned to:</b>	Local Government
<b>Statutory Power of Delegation:</b>	<b>Local Government Act 1995</b> s5.42 Delegations of some powers and duties to the CEO s5.43 Limitations to delegations
<b>Power Delegated to:</b>	Chief Executive Officer
<b>Council Conditions on Delegation:</b>	May not authorise relocation expenses for the position of CEO. Expenses for the CEO must be approved by the Council. Expenses for employees to a total of 50% of the relocation expense, to a total value of \$1,000 can be authorised by the CEO. This does not apply to Managers who are covered by contract conditions Travel Expenses can be approved by the CEO up to \$500
<b>Statutory Power to Sub Delegate</b>	Local Government Act 1995 s5.44 CEO may delegate powers and duties to others
<b>CEO Sub Delegation to:</b>	Nil
<b>CEO Conditions on Subdelegation:</b>	Nil
<b>Record Keeping Statement:</b>	Nil
<b>Compliance Links:</b>	<b>Local Government Act 1995</b>
<b>Council Policy Link: Strategic Plan Link:</b>	
<b>Delegation Administration: This delegation is to be reviewed annually s5.46(2)</b>	
<b>Decision / Reference:</b> Resolution 484	
<b>1<sup>st</sup> Adopted:</b>	September 2015
<b>Last Reviewed:</b>	18 May 2022

**SHIRE OF GOOMALLING – DELEGATIONS REGISTER & AUTHORISATIONS**

<b>Delegation DE30 - Authorisation of Variations to Budget Estimates</b>	
<b>Function Delegated:</b>	The CEO was delegated the power to authorise variations to budget estimates where the variation is less than 10% and not more than an amount of \$5,000.
<b>Statutory Power Being Delegated:</b>	<b>Local Government Act 1995</b> s5.42 Delegation of some powers and duties to the CEO
<b>Power is Originally Assigned to:</b>	Local Government
<b>Statutory Power of Delegation:</b>	<b>Local Government Act 1995</b> s5.41 Functions of CEO s5.42 Delegation of some powers and duties to the CEO s5.43 Limits on delegations to CEO
<b>Power Delegated to:</b>	Chief Executive Officer
<b>Council Conditions on Delegation:</b>	Nil
<b>Statutory Power to Sub Delegate</b>	<b>Local Government Act 1995</b> s5.44 CEO may delegate powers and duties to other employees
<b>CEO Sub Delegation to:</b>	Nil
<b>CEO Conditions on Subdelegation:</b>	Nil
<b>Record Keeping Statement:</b>	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty.
<b>Compliance Links:</b>	<b>Local Government Act 1995</b>
<b>Council Policy Link: Strategic Plan Link:</b>	
<b>Delegation Administration: This delegation is to be reviewed annually s5.46(2)</b>	
<b>Decision / Reference:</b> Resolution 484	
<b>1<sup>st</sup> Adopted:</b>	September 2015
<b>Last Reviewed:</b>	18 May 2022

**SHIRE OF GOOMALLING – DELEGATIONS REGISTER & AUTHORISATIONS**

Delegation DE31 - Approval of Credit Cards	
<b>Function Delegated:</b>	The CEO was delegated the authority to use a Council credit card for the purpose of carrying out the function of the Council in line with Council Policy and to approve payments with regard to staff (MOW & MOF) use.
<b>Statutory Power Being Delegated:</b>	<b>Local Government Act 1995</b>
<b>Power is Originally Assigned to:</b>	Local Government
<b>Statutory Power of Delegation:</b>	<b>Local Government Act 1995</b> s5.41 Functions of CEO s5.42 Delegation of some powers and duties to the CEO s5.43 Limits on delegations to CEO
<b>Power Delegated to:</b>	Chief Executive Officer
<b>Council Conditions on Delegation:</b>	Nil
<b>Statutory Power to Sub Delegate</b>	<b>Local Government Act 1995</b> s5.44 CEO may delegate powers and duties to other employees
<b>CEO Sub Delegation to:</b>	Nil
<b>CEO Conditions on Subdelegation:</b>	Nil
<b>Record Keeping Statement:</b>	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty.
<b>Compliance Links:</b>	<b>Local Government Act 1995</b>
<b>Council Policy Link:</b> <b>Strategic Plan Link:</b>	
<b>Delegation Administration: This delegation is to be reviewed annually s5.46(2)</b>	
<b>Decision / Reference:</b> Resolution 484	
<b>1<sup>st</sup> Adopted:</b>	15 July 2015
<b>Last Reviewed:</b>	18 May 2022

**SHIRE OF GOOMALLING – DELEGATIONS REGISTER & AUTHORISATIONS**

Delegation DE32 – Powers under the Local Laws	
<b>Function Delegated:</b>	The CEO was delegated the authority to exercise any of the powers of the Council or discharge any of its duties in connection with the following local laws made under the Local Government Act 1995, the Health Act 1911 (as amended) and the Dog Act 1976:
<b>Statutory Power Being Delegated:</b>	<ul style="list-style-type: none"> <li>* Dogs Local Law;</li> <li>* Fencing Local Law;</li> <li>* Health Local Law;</li> <li>* Parking and Parking Facilities Local Law</li> <li>* Property Local Law; and</li> <li>* Responsible Cat Ownership Local Law.</li> </ul> <p>The CEO has on-delegated the authority to exercise any of the powers of the Council or discharge any of its duties in connection with the above local laws made under the Local Government Act 1995, the Health Act 1911 (as amended) the Dog Act 1976 and the Cat Act 2011 to the officers listed in the attached Schedule.</p>
<b>Power is Originally Assigned to:</b>	Local Government
<b>Statutory Power of Delegation:</b>	<b>Local Government Act 1995, Health Act 1911 (as amended) Dog Act 1976 Cat Act 2011</b>
<b>Power Delegated to:</b>	Contract Building Surveyor Contract Ranger Manager of Works Manager of Finance/Deputy CEO
<b>Council Conditions on Delegation:</b>	Nil
<b>Statutory Power to Sub Delegate</b>	<b>Local Government Act 1995</b> s5.44 CEO may delegate powers and duties to other employees
<b>CEO Sub Delegation to:</b>	Nil
<b>CEO Conditions on Subdelegation:</b>	Nil
<b>Record Keeping Statement:</b>	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty.
<b>Compliance Links:</b>	<b>Local Government Act 1995, Health Act 1911 (as amended) Dog Act 1976 Cat Act 2011</b>
<b>Council Policy Link: Strategic Plan Link:</b>	
<b>Delegation Administration: This delegation is to be reviewed annually s5.46(2)</b>	
<b>Decision / Reference:</b> Resolution 484	
<b>1<sup>st</sup> Adopted:</b>	September 2015
<b>Last Reviewed:</b>	18 May 2022

**SHIRE OF GOOMALLING – DELEGATIONS REGISTER & AUTHORISATIONS**

<b>Delegation DE33 – Rates</b>	
<b>Function Delegated:</b>	<p>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</p> <p>The Chief Executive Officer is delegated authority to:</p> <ol style="list-style-type: none"> <li>1. Amend the rate record as specified in Section 6.39(2);</li> <li>2. Enter into an agreement with a person for the payment of rates or service charges in accordance with Section 6.49;</li> <li>3. Determine the date on which rates or service charges become due and payable under Section 6.50(1) &amp; (2);</li> <li>4. Recover a rate or service, as well as the costs of proceedings, where it remains unpaid after it becomes due under Section 6.56(1);</li> <li>5. Grant an extension of time for a person to make an objection to the rate record under Section 6.76(4);</li> <li>6. Consider an objection to a rate record, either allowing or disallowing it, wholly or in part. In accordance with Section 6.76(5), and to serve notice of the decision and a statement of reasons for the decision upon the person lodging the objection in accordance with Section 6.76(6);</li> <li>7. Give notice to a lessee of land in respect of which there is an unpaid rate or service charge to require the lessee to pay the rent to the local government in accordance with Section 6.60(2);</li> <li>8. Recover the amount of the rate or service charge as a debt from the lessee if the rent is not paid in accordance with the notice (Section 6.60(4)); and</li> <li>9. Commence proceedings under Section 6.64 to recover rates owing to the Shire.</li> </ol>
<b>Statutory Power Being Delegated:</b>	<p><b>Local Government Act 1995</b>                      s5.41 Functions of CEO                      s5.42 Delegation of some powers and duties to the CEO                      s5.43 Limits on delegations to CEO</p>
<b>Power is Originally Assigned to:</b>	Local Government
<b>Statutory Power of Delegation:</b>	<p><b>Local Government Act 1995</b>                      s5.41 Functions of CEO                      s5.42 Delegation of some powers and duties to the CEO                      s5.43 Limits on delegations to CEO</p>
<b>Power Delegated to:</b>	Chief Executive Officer
<b>Council Conditions on Delegation:</b>	Nil
<b>Statutory Power to Sub Delegate</b>	<p><b>Local Government Act 1995</b>                      s5.44 CEO may delegate powers and duties to other employees</p>
<b>CEO Sub Delegation to:</b>	Nil
<b>CEO Conditions on Subdelegation:</b>	Nil
<b>Record Keeping Statement:</b>	1. Ensure full record of each decision is lodged on the Shire Rates Database in Synergy.

## SHIRE OF GOOMALLING – DELEGATIONS REGISTER & AUTHORISATIONS

	2. All records will be retained in the Shire's records management system in accordance with the Record Management Plan and associated legislation.
<b>Compliance Links:</b>	<b>Local Government Act 1995</b>
<b>Council Policy Link:</b> <b>Strategic Plan Link:</b>	
<b>Delegation Administration: This delegation is to be reviewed annually s5.46(2)</b>	
<b>Decision / Reference:</b> Resolution 484	
<b>1<sup>st</sup> Adopted:</b>	
<b>Last Reviewed:</b>	18 May 2022

**SHIRE OF GOOMALLING – DELEGATIONS REGISTER & AUTHORISATIONS**

Delegation DE34 – Amending the Rate Record	
<b>Function Delegated:</b>	Authority to determine any requirement to amend the rate record for the 5-years preceding the current financial year :
<b>Statutory Power Being Delegated:</b>	<b>Local Government Act 1995:</b> s.6.39(2)(b) Rate record
<b>Power is Originally Assigned to:</b>	Local Government
<b>Statutory Power of Delegation:</b>	<b>Local Government Act 1995</b> s5.42 Delegation of some powers and duties to the CEO s5.43 Limits on delegations to CEO
<b>Power Delegated to:</b>	Chief Executive Officer
<b>Council Conditions on Delegation:</b>	Nil
<b>Statutory Power to Sub Delegate</b>	<b>Local Government Act 1995</b> s5.44 CEO may delegate powers and duties to other employees
<b>CEO Sub Delegation to:</b>	Nil
<b>CEO Conditions on Subdelegation:</b>	Nil
<b>Record Keeping Statement:</b>	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty.
<b>Compliance Links:</b>	<b>Local Government Act 1995,</b>
<b>Council Policy Link:</b> <b>Strategic Plan Link:</b>	
<b>Delegation Administration: This delegation is to be reviewed annually s5.46(2)</b>	
<b>Decision / Reference:</b> Resolution 484	
<b>1<sup>st</sup> Adopted:</b>	
<b>Last Reviewed:</b>	18 May 2022

**SHIRE OF GOOMALLING – DELEGATIONS REGISTER & AUTHORISATIONS**

<b>Delegation DE35 – Determination of Applications for Development Approval</b>	
<b>Function Delegated:</b>	Pursuant to Clause 82 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> , delegation of authority to approve or refuse applications for development approval, with or without conditions, is extended to the Chief Executive Officer, subject to consistency with the <i>Shire of Goomalling Town Planning Scheme No. 3</i> (the Scheme), including giving due regard to relevant Local Planning Policies, and/or WAPC/State Planning Policies, and the exclusions/conditions set out below.
<b>Statutory Power Being Delegated:</b>	<i>Local Government Act 1995</i> <i>Planning and Development Act 2005</i> <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> <i>Shire of Goomalling Town Planning Scheme No 3</i>
<b>Power is Originally Assigned to:</b>	Local Government
<b>Statutory Power of Delegation:</b>	<i>Local Government Act 1995</i> s.5.42 – Delegation of some powers or duties to the CEO <i>Planning and Development (Local Planning Scheme) Regulations 2015</i> <i>Schedule.2, Part 10, cl.82</i>
<b>Power Delegated to:</b>	Chief Executive Officer
<b>Council Conditions/Exclusions on Delegation:</b>	<p>1.1 <i>General Exclusions</i> Applications for development approval for development exceeding \$1M in value and/or a net increase of in excess of 1 dwelling and/or a net increase of over 400m<sup>2</sup> in building floor area may not be determined under delegated authority.</p> <p>1.2 <i>Specific Exclusions and Exceptions for Minor Works, etc.</i></p> <p>a) Subject to f) below, with respect to applications for development approval for development other than advertising signage, domestic outbuildings, sea containers and/or other similar storage containers, fencing and residential additions/alterations, any delegated decision must be consistent with, rather than giving due regard to, relevant Local Planning Policies.</p> <p>b) Subject to f) below, applications for development approval for development of land within a Local Reserve may only be approved under delegated authority where it is consistent with the purpose of the Reserve.</p> <p>c) Subject to f) below, applications for development approval for the types of land-use or development listed below may only be refused under delegated authority:</p> <ul style="list-style-type: none"> <li>(i) Abattoir;</li> <li>(ii) Hotel;</li> <li>(iii) Industry - Extractive;</li> <li>(iv) Liquor Store;</li> <li>(v) Motel;</li> <li>(vi) Piggeries;</li> <li>(vii) Restricted Premises (adult shop);</li> <li>(viii) Tavern;</li> <li>(ix) Telecommunication Infrastructure; and</li> <li>(x) Any other development associated with racing, gaming or the sale of liquor, other than where development is of a temporary</li> </ul>



	<p>nature (no more than 48 hours duration).</p> <p><i>(Note: Should the Chief Executive Officer feel that the application may warrant approval, the application shall be reported to Council for consideration)</i></p> <p>d) Subject to f) below, unless specifically provided for in a Local Planning Policy or Policies, applications for development approval that must be assessed under the provisions of Clause 3.2.5 of the Scheme ('uses not mentioned' in the Zoning Table of the Scheme) may only be refused under delegated authority.</p> <p><i>(Note: Should the Chief Executive Officer feel that the application may warrant approval, the application shall be reported to Council for consideration)</i></p> <p>e) Subject to f) below, applications for development approval that must be assessed under the provisions of Part IV, clauses 4.1 up to and including 4.6 of the Scheme (the 'non-conforming uses' provisions) may only be refused under delegated authority.</p> <p><i>(Note: Should the Chief Executive Officer feel that the application may warrant approval, the application shall be reported to Council for consideration)</i></p> <p>f) Subject to g) below, the provisions of a) – e) above do not apply to applications to –</p> <ul style="list-style-type: none"> <li>• amend the approval so as to extend the period within which the approval must be substantially commenced; and</li> <li>• alterations and/or expansions affecting a maximum area of 10% of the existing development or 100m<sup>2</sup> (in terms of floor space or land area in use, as appropriate), whichever is the lesser, and which are associated with existing, lawful land-uses, wherein the application may be refused or approved, with or without conditions, under delegated authority.</li> </ul> <p>g) Where an application to extend the period within which the approved development must be substantially commenced is issued pursuant to f) above, the term of any extension shall not exceed 12 months, however, an unlimited number of extensions may be granted under delegated authority.</p> <p><b>AMENDED PLANS</b></p> <p>Notwithstanding 1.2 a) and 1.2 b) above, amended plans relating to applications determined by Council, may be determined under delegated authority where-</p> <p>a) The amended plan, if submitted as a new application, could have been determined under delegated authority; and/or</p> <p>b) The amended plans do not differ from the determined plans in any respect which generates a need to undertake consultation pursuant to clause 64 of the <i>deemed provisions for local planning schemes</i> (advertising applications) and/or Part 4 (Consultation) of the R-Codes; and/or</p> <p>c) The amended plans do not differ from the determined plans in respect of the number of residential units or an increase in floor space of more than 10% or 100m<sup>2</sup> (in terms of floor space or land area in use, as appropriate), whichever is the lesser.</p> <p><b>CONDITIONS RELATED TO CONSULTATION</b></p> <p>Applications for development approval that have been advertised for consultation purposes in accordance with the provisions of clause 64 (advertising applications) of the <i>deemed provisions for local planning schemes</i> and/or Part 4 of the R-Codes (consultation), may only be approved under delegated authority if-</p>
--	--

## SHIRE OF GOOMALLING – DELEGATIONS REGISTER & AUTHORISATIONS

	<p>a) No submissions were received, or only supportive submissions that do not request any change to the development were received; or</p> <p>b) Submissions that raise concerns with the proposed development were received, and those concerns are, in the opinion of the Chief Executive Officer, clearly not material planning considerations;</p> <p>c) Submissions that raise concerns with the proposed development were received, and those concerns are material planning considerations, but;</p> <p style="padding-left: 40px;">i) Through liaison with the party or parties that lodged the submissions and/or amendments to the application and/or the application of conditions, the matters raised in the submissions can be resolved to the satisfaction of the Chief Executive Officer, the applicant, and the party or parties that lodged the submissions (the Chief Executive Officer must also ensure that the interests of fourth parties are protected and undertake further consultation if considered necessary), and</p> <p style="padding-left: 40px;">ii) Prior to approval of the application, the applicant and/or party or parties who lodged the submissions have provided written (including via email) confirmation of their acceptance of the terms of the proposed delegated decision.</p> <p><i>(Note: Should (a), (b) or (c) above not apply, or the Chief Executive Officer feel that the application should be refused, the application shall be reported to Council for consideration)</i></p>
<b>Statutory Power to Sub Delegate</b>	Local Government Act 1995 s.5.44 – CEO may delegate some powers and duties to other employees <i>Planning and Development (Local Planning Scheme) Regulations 2015 Schedule.2, Part 10, cl.83</i>
<b>CEO Sub Delegation to:</b>	Nil
<b>CEO Conditions on Sub delegation:</b>	Nil
<b>Record Keeping Statement:</b>	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty
<b>Compliance Links:</b>	Local Government Act 1995 Part 10 of Schedule 2, <i>Planning and Development (Local Planning Scheme) Regulations 2015</i>
<b>Council Policy Link: Strategic Plan Link:</b>	N/A
<b>Delegation Administration: This delegation is to be reviewed annually s5.46(2)</b>	
<b>Decision / Reference:</b> Resolution 484	
<b>1<sup>st</sup> Adopted:</b>	July 2020
<b>Last Reviewed:</b>	18 May 2022

**SHIRE OF GOOMALLING – DELEGATIONS REGISTER & AUTHORISATIONS**

Delegation DE36 – Recommendations to the Western Australian Planning Commission (WAPC) regarding Applications for Subdivision / Amalgamation or Strata Title	
<b>Function Delegated:</b>	Pursuant to Section 5.42 of the <i>Local Government Act 1995</i> , delegation of authority to make recommendations to the WAPC with regards to applications referred to Council pursuant to Part 10 (Subdivision and development control) of the <i>Planning and Development Act 2005</i> , is extended to the Chief Executive Officer, subject to consistency with the Scheme, relevant Local Planning Policies, and/or WAPC/State Planning Policies, and the exclusions/conditions set out below.
<b>Statutory Power Being Delegated:</b>	<i>Local Government Act 1995</i> <i>Planning and Development Act 2005</i> <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> <i>Shire of Goomalling Town Planning Scheme No 3</i>
<b>Power is Originally Assigned to:</b>	Local Government
<b>Statutory Power of Delegation:</b>	<i>Local Government Act 1995</i> s.5.42 – Delegation of some powers or duties to the CEO <i>Planning and Development (Local Planning Scheme) Regulations 2015</i> <i>Schedule.2, Part 10, cl.82</i>
<b>Power Delegated to:</b>	Chief Executive Officer
<b>Council Conditions/Exclusions on Delegation:</b>	Applications that, were they approved by the WAPC, might result in a net increase of more than 2 lots, a recommendation to the WAPC may only be made under delegated authority if - <ul style="list-style-type: none"> <li>a) The application is consistent with a strategy, structure plan approved by the WAPC, local development or other plan endorsed by Council, or which forms part of the Scheme and/or a Local Planning Policy; and/or</li> <li>b) The application is for amended plans for an application that has been considered by Council within the last two years and the amendments are, in the opinion of the CEO, of a minor nature.</li> </ul>
<b>Statutory Power to Sub Delegate</b>	<i>Local Government Act 1995</i> s.5.44 – CEO may delegate some powers and duties to other employees <i>Planning and Development (Local Planning Scheme) Regulations 2015</i> <i>Schedule.2, Part 10, cl.83</i>
<b>CEO Sub Delegation to:</b>	Contract Town Planners – Edge Planning & Property
<b>CEO Conditions on Sub delegation:</b>	Nil
<b>Record Keeping Statement:</b>	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty
<b>Compliance Links:</b>	<i>Local Government Act 1995</i> Part 10 of Schedule 2, <i>Planning and Development (Local Planning Scheme) Regulations 2015</i>
<b>Council Policy Link: Strategic Plan Link:</b>	N/A
<b>Delegation Administration: This delegation is to be reviewed annually s5.46(2)</b>	
<b>Decision / Reference:</b> Resolution 484	
<b>1<sup>st</sup> Adopted:</b>	July 2020
<b>Last Reviewed:</b>	18 May 2022

**SHIRE OF GOOMALLING – DELEGATIONS REGISTER & AUTHORISATIONS**

<b>Delegation DE37 – Clearance of Conditions of Development Approval, or Conditions of Subdivision/Amalgamation or Strata Title Approval</b>	
<b>Function Delegated:</b>	Pursuant to Clause 82 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> , delegation of authority to advise regarding clearance of conditions of development approval, and pursuant to Section 5.42 of the <i>Local Government Act 1995</i> , delegation of authority to advise the WAPC with regards to the clearance of conditions set pursuant to Part 10 (Subdivision and development control) of the <i>Planning and Development Act 2005</i> and for which Council is nominated as a clearance agency, is extended to the Chief Executive Officer, subject to consistency with the Scheme, Local Planning Policies, and the exclusions/conditions set out below.
<b>Statutory Power Being Delegated:</b>	<i>Local Government Act 1995</i> <i>Planning and Development Act 2005</i> <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> <i>Shire of Goomalling Town Planning Scheme No 3</i>
<b>Power is Originally Assigned to:</b>	Local Government
<b>Statutory Power of Delegation:</b>	<i>Local Government Act 1995</i> s.5.42 – Delegation of some powers or duties to the CEO <i>Planning and Development (Local Planning Scheme) Regulations 2015</i> <i>Schedule.2, Part 10, cl.82</i>
<b>Power Delegated to:</b>	Chief Executive Officer
<b>Council Conditions/Exclusions on Delegation:</b>	Nil
<b>Statutory Power to Sub Delegate</b>	<i>Local Government Act 1995</i> s.5.44 – CEO may delegate some powers and duties to other employees <i>Planning and Development (Local Planning Scheme) Regulations 2015</i> <i>Schedule.2, Part 10, cl.83</i>
<b>CEO Sub Delegation to:</b>	Nil
<b>CEO Conditions on Sub delegation:</b>	Nil
<b>Record Keeping Statement:</b>	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty.
<b>Compliance Links:</b>	<i>Local Government Act 1995</i> Part 10 of Schedule 2, <i>Planning and Development (Local Planning Scheme) Regulations 2015</i>
<b>Council Policy Link: Strategic Plan Link:</b>	N/A
<b>Delegation Administration: This delegation is to be reviewed annually s5.46(2)</b>	
<b>Decision / Reference:</b> Resolution 484	
<b>1<sup>st</sup> Adopted:</b>	July 2020
<b>Last Reviewed:</b>	18 May 2022

**SHIRE OF GOOMALLING – DELEGATIONS REGISTER & AUTHORISATIONS**

<b>Delegation DE38 – Advising Other Regulatory Authorities on Planning Matters</b>	
<b>Function Delegated:</b>	Pursuant to Section 5.42 of the <i>Local Government Act 1995</i> , delegation of authority to advise other regulatory authorities (other than the WAPC) with respect to applications for subdivision) with respect to matters where planning-related advice is required, is extended to the Chief Executive Officer, subject to consistency with existing planning or other local government approvals, as appropriate, and the Scheme, relevant Local Planning Policies and/or WAPC/State Planning Policies, and the exclusions/conditions set out below.
<b>Statutory Power Being Delegated:</b>	<i>Local Government Act 1995</i>
<b>Power is Originally Assigned to:</b>	Local Government
<b>Statutory Power of Delegation:</b>	<i>Local Government Act 1995</i> s.5.42 – Delegation of some powers or duties to the CEO
<b>Power Delegated to:</b>	Chief Executive Officer
<b>Council Conditions/Exclusions on Delegation:</b>	Nil
<b>Statutory Power to Sub Delegate</b>	<i>Local Government Act 1995</i> s.5.44 – CEO may delegate some powers and duties to other employees <i>Planning and Development (Local Planning Scheme) Regulations 2015</i> <i>Schedule.2, Part 10, cl.83</i>
<b>CEO Sub Delegation to:</b>	Nil
<b>CEO Conditions on Sub delegation:</b>	Nil
<b>Record Keeping Statement:</b>	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty.
<b>Compliance Links:</b>	<i>Local Government Act 1995</i>
<b>Council Policy Link: Strategic Plan Link:</b>	N/A
<b>Delegation Administration: This delegation is to be reviewed annually s5.46(2)</b>	
<b>Decision / Reference:</b> Resolution 484	
<b>1<sup>st</sup> Adopted:</b>	July 2020
<b>Last Reviewed:</b>	18 May 2022

**SHIRE OF GOOMALLING – DELEGATIONS REGISTER & AUTHORISATIONS**

Delegation DE39 – Planning Appeals, Requests for Reconsideration	
<b>Function Delegated:</b>	Pursuant to Section 5.42 of the <i>Local Government Act 1995</i> , delegation of authority to respond to appeals made to the State Administrative Tribunal (including appointment of Counsel), or requests for reconsideration lodged with the WAPC, is extended to the Chief Executive Officer, subject to consistency with any resolution of Council relating to the matter subject of an appeal or request for reconsideration, the Scheme, Local Planning Policies (in the event of any inconsistency between the Scheme, Local Planning Policies and any resolution of Council relating to the matter subject of an appeal or request for reconsideration, then the resolution of Council shall prevail), and the exclusions/conditions set out below.
<b>Statutory Power Being Delegated:</b>	<i>Local Government Act 1995</i>
<b>Power is Originally Assigned to:</b>	Local Government
<b>Statutory Power of Delegation:</b>	<i>Local Government Act 1995</i> s.5.42 – Delegation of some powers or duties to the CEO
<b>Power Delegated to:</b>	Chief Executive Officer
<b>Council Conditions/Exclusions on Delegation:</b>	Nil
<b>Statutory Power to Sub Delegate</b>	<i>Local Government Act 1995</i> s.5.44 – CEO may delegate some powers and duties to other employees <i>Planning and Development (Local Planning Scheme) Regulations 2015</i> <i>Schedule.2, Part 10, cl.83</i>
<b>CEO Sub Delegation to:</b>	Nil
<b>CEO Conditions on Sub delegation:</b>	Nil
<b>Record Keeping Statement:</b>	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty.
<b>Compliance Links:</b>	<i>Local Government Act 1995</i>
<b>Council Policy Link: Strategic Plan Link:</b>	N/A
<b>Delegation Administration: This delegation is to be reviewed annually s5.46(2)</b>	
<b>Decision / Reference:</b> Resolution 484	
<b>1<sup>st</sup> Adopted:</b>	July 2020
<b>Last Reviewed:</b>	18 May 2022

**SHIRE OF GOOMALLING – DELEGATIONS REGISTER & AUTHORISATIONS**

<b>Delegation DE40 – Planning Enforcement</b>	
<b>Function Delegated:</b>	Pursuant to Section 5.42 of the <i>Local Government Act 1995</i> , where Council has resolved to issue an enforcement notice under Part 13 of the <i>Planning and Development Act 2005</i> , delegation of authority is extended to the Chief Executive Officer to appoint and direct Counsel, subject to consistency with the resolution of Council and the exclusions/conditions set out below
<b>Statutory Power Being Delegated:</b>	<i>Local Government Act 1995</i>
<b>Power is Originally Assigned to:</b>	Local Government
<b>Statutory Power of Delegation:</b>	<i>Local Government Act 1995</i> s.5.42 – Delegation of some powers or duties to the CEO
<b>Power Delegated to:</b>	Chief Executive Officer
<b>Council Conditions/Exclusions on Delegation:</b>	Nil
<b>Statutory Power to Sub Delegate</b>	<i>Local Government Act 1995</i> s.5.44 – CEO may delegate some powers and duties to other employees <i>Planning and Development (Local Planning Scheme) Regulations 2015</i> <i>Schedule.2, Part 10, cl.83</i>
<b>CEO Sub Delegation to:</b>	Nil
<b>CEO Conditions on Sub delegation:</b>	Nil
<b>Record Keeping Statement:</b>	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty.
<b>Compliance Links:</b>	<i>Local Government Act 1995</i>
<b>Council Policy Link: Strategic Plan Link:</b>	N/A
<b>Delegation Administration: This delegation is to be reviewed annually s5.46(2)</b>	
<b>Decision / Reference:</b> Resolution 484	
<b>1<sup>st</sup> Adopted:</b>	July 2020
<b>Last Reviewed:</b>	18 May 2022

**SHIRE OF GOOMALLING – DELEGATIONS REGISTER & AUTHORISATIONS**

Delegation DE41 – Execution of Documents - Landgate	
<b>Function Delegated:</b>	Pursuant to Section 9.49(A) of the <i>Local Government Act 1995</i> , delegates authority to the Chief Executive Officer to sign the following documentation behalf of the Shire including lodgement, withdrawal, removal, withdrawal, surrender or modification: <ul style="list-style-type: none"> <li>• Notifications, covenants and easements under the transfer of Land Act 1893</li> <li>• Reciprocal access and agreements</li> <li>• Rights of carriageway agreements</li> <li>• Caveats under the transfer of land Act 1893</li> <li>• Easements or deeds of easement under the Land Administration Act 1997 and or the Strata Titles Act 1985</li> </ul>
<b>Statutory Power Being Delegated:</b>	Section 9.49(A) (4)&(5) Local Government Act 1995 Transfer of Land Act 1893 Land Administration Act 1997 Strata Titles Act 1985 Policy 4.19 - Common Seal
<b>Power is Originally Assigned to:</b>	Local Government
<b>Statutory Power of Delegation:</b>	<i>Local Government Act 1995</i> s.5.42 – Delegation of some powers or duties to the CEO
<b>Power Delegated to:</b>	Chief Executive Officer
<b>Council Conditions/Exclusions on Delegation:</b>	Nil
<b>Statutory Power to Sub Delegate</b>	Nil
<b>CEO Sub Delegation to:</b>	Nil
<b>CEO Conditions on Sub delegation:</b>	Nil
<b>Record Keeping Statement:</b>	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty.
<b>Compliance Links:</b>	<i>Local Government Act 1995</i>
<b>Council Policy Link: Strategic Plan Link:</b>	N/A
<b>Delegation Administration: This delegation is to be reviewed annually s5.46(2)</b>	
<b>Decision / Reference:</b> Resolution 484	
<b>1<sup>st</sup> Adopted:</b>	May 2022
<b>Last Reviewed:</b>	18 May 2022



9.49A. Execution of documents

(1) A document is duly executed by a local government if — (a) the common seal of the local government is affixed to it in accordance with subsections (2) and (3); or (b) it is signed on behalf of the local government by a person or persons authorised under subsection (4) to do so.

(2) The common seal of a local government is not to be affixed to any document except as authorised by the local government.

(3) The common seal of the local government is to be affixed to a document in the presence of — (a) the mayor or president; and (b) the CEO, each of whom is to sign the document to attest that the common seal was so affixed.

(4) A local government may, by resolution, authorise the CEO, another employee or an agent of the local government to sign documents on behalf of the local government, either generally or subject to conditions or restrictions specified in the authorisation.

(5) A document executed by a person under an authority under subsection (4) is not to be regarded as a deed unless the person executes it as a deed and is permitted to do so by the authorisation.

(6) A document purporting to be executed in accordance with this section is to be presumed to be duly executed unless the contrary is shown. Local Government Act 1995 Miscellaneous provisions Part 9 Documents Division 3 s. 9.49B As at 31 Mar 2022 Version 07-y0-00 page 371 Published on [www.legislation.wa.gov.au](http://www.legislation.wa.gov.au)

(7) When a document is produced bearing a seal purporting to be the common seal of the local government, it is to be presumed that the seal is the common seal of the local government unless the contrary is shown. [Section 9.49A inserted: No. 17 of 2009 s. 43; amended: No. 16 of 2019 s. 68.]

9.49B. Contract formalities

(1) Insofar as the formalities of making, varying or discharging a contract are concerned, a person acting under the authority of a local government may make, vary or discharge a contract in the name of or on behalf of the local government in the same manner as if that contract was made, varied or discharged by a natural person.

(2) The making, variation or discharge of a contract in accordance with subsection (1) is effectual in law and binds the local government concerned and other parties to the contract.

(3) Subsection (1) does not prevent a local government from making, varying or discharging a contract under its common seal. [Section 9.49B inserted: No. 17 of 2009 s. 43.]

9.49. Documents, how authenticated A document, is, unless this Act requires otherwise, sufficiently authenticated by a local government without its common seal if signed by the CEO or an employee of the local government who purports to be authorised by the CEO to so sign.

Authorisations are conferred onto a local government by a variety of acts. Some give the Council (Local Government) the right to appoint authorised officers such as the Chief Executive Officer and others allow the CEO to appoint authorised officers of the Shire to carry out duties under that Act.

Each act independently confers and specifies the allowable authorisations and the instruction of one act does not transfer to another act.

Authorised officers are listed in the following table. The specific Act and Section of that Act and activity, should be clearly understood by the officer authorised to undertake the authorised tasks. Authorised officers are issued with a Certificate of Authorisation.

The Local Government Act 1995 – Part 9, Division 2, s9.10, states Appointment of authorised persons:

1. The local government may in writing, appoint persons or classes of person to be authorised for the purpose of performing particular functions.
2. The local government is to issue each person so authorised a certificate stating that the person is so authorised, and the person is to produce the certificate whenever required to do so by a person who has been or is about to be affected by any exercise of authority by the authorised person.

Legislation considered for the appointment of Authorised Officers.

- Local Government Act 1995 and associated Regulations
- Cat Act 2011
- Dog Act 1976
- Caravan Parks and Camping Grounds Act 1995 and Regulations 1997
- Food Act 2008
- Health Act 1911
- Building Act 2011
- Public Health Act 2016





# AUTHORISATIONS REGISTER

Legislation/Act	Section	Function Delegated	Authorised Position	Authorised Officer	Conditions
Local Government Act 1995 FM Regulations	r. 12(1)(a), r. 5, r. 11, r. 13	Make payments from Municipal and Trust Funds	Chief Executive Officer	Peter Bentley	Nil
Local Government Act 1995 FM Regulations	s. 6.14 r. 19C	Power to invest	Chief Executive Officer Deputy CEO/FM	Peter Bentley Natalie Bird	Nil Nil
Local Government Act 1995	s. 3.24	Ability to appoint authorised officers	Chief Executive Officer	Peter Bentley	Nil
Local Government Act 1995	s. 3.39 s. 3.40 s. 3.40A	Power to remove and impound goods Power to remove and impound vehicle Power to remove and impound abandoned vehicle	Chief Executive Officer Manager of Works Contract Ranger	Peter Bentley David Long Gloria Robinson	Nil Nil Nil
Local Government Act 1995	s. 3.47	Sell or otherwise dispose of any goods that have been ordered to be confiscated under section 3.43	Manager of Works Deputy CEO/FM	David Long Natalie Bird	Nil Nil
Local Government Act 1995	s.3.47A	If an impounded animal is ill or injured to such an extent that treating is not practicable, the Local Government may humanely destroy the animal and dispose of the carcass	Manager of Works Leading Hand	David Long Russell Beck Bryce Carr	Authorised to use Shire of Goomalling Rifle
Local Government Act 1995	s. 9.10	Council can authorise officers to carry out function of the act	Chief Executive Officer	Peter Bentley	s. 5.42 limitations on delegations
Local Government Act 1995	s. 9.13(2)	Vehicle Offence Notices (Parking etc)	Manager of Works Contract Ranger	David Long Gloria Robinson	
Local Government Act 1995	s. 9.16	Issuing Infringement Notices	Manager of Works Contract Ranger	David Long Gloria Robinson	A person authorised under 9.16 cannot be authorised to undertake 9.17, 9.19 or 9.20
Local Government Act 1995	s. 9.17	Content of Notice - Fines	Chief Executive Officer Deputy CEO/FM	Peter Bentley Natalie Bird	A person authorised under 9.16 cannot be authorised to undertake 9.17, 9.19 or 9.20

# AUTHORISATIONS REGISTER

Legislation/Act	Section	Function Delegated	Authorised Position	Authorised Officer	Conditions
Local Government Act 1995	s. 9.19	Extension of time - Fines	Chief Executive Officer	Peter Bentley	A person authorised under 9.16 cannot be authorised to undertake 9.17, 9.19 or 9.20
Local Government Act 1995	s. 9.20	Withdrawal of Notice - Fines	Chief Executive Officer	Peter Bentley	A person authorised under 9.16 cannot be authorised to undertake 9.17, 9.19 or 9.20
Local Government Act	s. 9.49	<ul style="list-style-type: none"> <li>• Withdrawal of Caveats</li> <li>• Notifications, covenants and easements under the transfer of Land Act 1893</li> <li>• Reciprocal access and agreements</li> <li>• Rights of carriageway agreements</li> <li>• Caveats under the transfer of land Act 1893</li> <li>• Easements or deeds of easement under the Land Administration Act 1997 and or the Strata Titles Act 1985</li> </ul>	Chief Executive Officer	Peter Bentley	
Building Act 2011	s. 36	Swimming Pool Inspections	Contract Building Surveyor	Rebecca Creighan	Authorised Officers must act within the limits of the legislation
Caravan Parks & Camping Grounds Act 1995 Regulations 1997	s. 17 r. s6	To provide the ability to enter the Local Governments caravan Parks, undertake inspection, entry into caravans and issue of work notices and infringements	Chief Executive Officer Manager of Works Caretaker Caretaker	Peter Bentley David Long Keith Allen Kathy Allen	
Building Act 2011	s. 20	Grant Building Permits	Contract Building Surveyor	Rebecca Creighan	
Building Act 2011	s. 21	Grant Demolition Permits	Contract Building Surveyor	Rebecca Creighan	
Building Act 2011	s. 58	Grant occupancy permits – building approval certificates	Contract Building Surveyor	Rebecca Creighan	
Building Act 2011	s. 65	Grant extension of period of duration of permits	Contract Building Surveyor	Rebecca Creighan	
Building Act 2011	s. 110	Issue building orders	Contract Building Surveyor	Rebecca Creighan	

# AUTHORISATIONS REGISTER

<b>Building Act 2011</b>	s. 117	Revoke a building order	Contract Building Surveyor	Rebecca Creighan	
<b>Health Act 1911</b>	s. 27	Appointment of Environmental Health Officer	Chief Executive Officer	Peter Bentley	
<b>Litter Act 1979</b>	s. 26(1c)(ii)and (iii)	Enforcement proceedings and penalties	Chief Executive Officer Deputy CEO/FM Manager of Works Contract Ranger	Peter Bentley Natalie Bird David Long Gloria Robinson	
Legislation/Act	Section	Function Delegated	Authorised Position	Authorised Officer	Conditions
<b>Health Act 2011</b>	s. 26	Every local government is hereby authorised and directed to carry out within its district the provision of this Act and the regulations, local laws and orders made thereunder. Provided that local government may appoint or authorise any person to be its deputy and in that capacity to exercise and discharge all or any of the powers and functions of the local government for such time and subject to such conditions and limitations (if any) as the local government shall see fit from time to time to prescribe but so that such appointment shall not affect the exercise of discharge by the local government itself of any power or function	Chief Executive Officer	Peter Bentley	
<b>Health Act 2011</b>	s. 27 s. 112A s. 135 s. 139 s. 114 s. 184 s. 192	Examination of drains Refuse Removal Dwelling unfit for habitation Clean/repair house Building to convert as dwelling Dealing with nuisance Refusal of registration Health (Food Hygiene) regulations 1993 Health Local Laws	Contract Building Surveyor Contract Environmental Health Officer	Laura Pikoss	
<b>Food Act 2008</b>	s. 125 s. 126	Serve prohibition order on food business Issue Certification of Clearance Re-inspect food business Register a food Business Grant or refuse application for a food business Vary conditions or cancel registration of food business	Contract Environmental Health Officer	Laura Pikoss	

# AUTHORISATIONS REGISTER

		Initiate proceedings for an offence under s125			
<b>Cat Act 2011</b>	s. 49(1a)(i) s. 51 s. 52	Cause a cat to be destroyed in a humane manner Enter a premises General Powers; <ul style="list-style-type: none"> <li>Set Cat Traps</li> <li>Collect Information</li> <li>Apply for a warrant</li> </ul> And other activities specified in the Act.	Manager of Works Contract Ranger Leading Hand	David Long Gloria Robinson Russell Beck Bryce Carr	Authorised to use Shire of Goomalling Riffe
<b>Legislation/Act</b>	<b>Section</b>	<b>Function Delegated</b>	<b>Authorised Position</b>	<b>Authorised Officer</b>	<b>Conditions</b>
<b>Cat Act 2011</b>		Issuing of infringements notices	Manager of Works Deputy CEO/FM Contract Ranger	David Long Natalie Bird Gloria Robinson	
<b>Cat Act 2011</b>	s. 63	Content of notices - Fines	Chief Executive Officer Deputy CEO/MF	Peter Bentley Natalie Bird	
<b>Cat Act 2011</b>	s. 64 & s. 65	Extension of time and withdrawal of notice - Fines	Chief Executive Officer	Peter Bentley	
<b>Dog Act 1976</b>	s. 11	Maintain a pound and other activities specified in the Act	Manager of Works Contract Ranger	David Long Gloria Robinson	
<b>Dog Act 1976</b>	s. 12 s. 29	Enter Premises Power to seize; <ul style="list-style-type: none"> <li>Dog Attack</li> <li>Dog Contravention</li> <li>Dangerous Dog</li> </ul>	Contract Ranger	Gloria Robinson	
<b>Dog Act 1976</b>	s. 3	Appointment of Registration Officers	CS Officer Administration Officer Community Dev Officer Deputy CEO/MoF Administration Officer	Jessika Ashworth Kylie Burling Tahnee Bird Natalie Bird Hayley Sewell	
<b>Dog Act 1976</b>	s. 44	Enforcement Proceedings	Chief Executive Officer Deputy CEO/MoF Manager of Works	Peter Bentley Natalie Bird	



# AUTHORISATIONS REGISTER

				David Long	
Local Government Act 1995	s. 3.18 (3c) & s. 3.58(3)	The authority to sell by calling for expressions of interest, holding a sale, or any other fair means, items of equipment, materials, tools etc. which are no longer required, or are outmoded or no longer serviceable.	Chief Executive Officer	Peter Bentley	The disposal of all surplus equipment, materials, tools etc, must not exceed a value of \$5,000 per unit. All matters in excess of \$5,000 per unit will authorised by the Council.
Legislation/Act	Section	Function Delegated	Authorised Position	Authorised Officer	Conditions
Local Government Act 1995 LG (Functions & General) Regs	s. 3.58(3), [5d] r. 30 & r. 31[3a]	Disposition of property (other than land) is an exempt disposition if its market value is less than \$20,000	Chief Executive Officer	Peter Bentley	For the sale of plant and equipment within budget allocation.
Local Government Act 1995	s. 3.18(3c)	The authority to write-off debts	Chief Executive Officer	Peter Bentley	The writing off of rates and sundry debts to the value of \$100.00
Local Government Act 1995	s. 3.18(3c)	Authority to approve applications for the consumption of liquor from property under the care, control and management of the Council	Chief Executive Officer Deputy CEO/MoF Manager of Works	Peter Bentley Natalie Bird David Long	
Local Government Act 1995 LG (Functions & General) Regs	s. 3.57 (1) r. 21, [1, 2, 3, 4] & r. 22	May seek expressions of interest before entering the tender process.			
Local Government Act 1995 LG (Functions & General) Regs	s. 3.57 (1) r. 11[1], r. 14[4c]	The requirement to invite tenders before entering into a contract for goods and services with a value of \$250,000 or more. Tenders do not have to be publicly invited according to the requirements, if the supply of the goods or services is to be obtained through the Council Purchasing Service of WALGA.	Chief Executive Officer Deputy CEO/MoF Manager of Works	Peter Bentley Natalie Bird David Long	
Local Government Act 1995	s. 3.57(1)	May, with the approval of the tenderer, make a minor variation in a contract for goods or services			



## DELEGATIONS TO THE CHIEF EXECUTIVE OFFICER

LEGISLATION/ACT	POWER	CONDITIONS
Local Government Act 1995	Power to make payments from the Trust Fund or Municipal Fund (this includes Reserves and Restricted Assets)	Nil
Local Government Act 1995	Authority to invest Council funds with approved financial institutions as approved by Council to achieve maximum investment potential.	Nil
Local Government Act 1995	Authority to appoint persons or classes of persons as authorised persons for the purpose of fulfilling prescribed functions within the Local Government Act 1995 and the Shire's Local Laws made under that Act.	<ol style="list-style-type: none"> <li>1. The CEO may, at his discretion, refer any matter to Council for decision;</li> <li>2. Details of any prosecutions under a Local Law must be provided to Council.</li> </ol>
Local Government Act 1995	<p>Authority to:</p> <ol style="list-style-type: none"> <li>1. renew existing lease agreements with charitable, benevolent, religious, cultural, educational, recreational, sporting, environmental or other similar groups or government agencies for properties that are under the care, control and management of the Shire of Mundaring either by management order, lease, sub-lease, licence, sub-licence or freehold; and</li> <li>2. negotiate new lease agreements with existing lessees whose lease has expired.</li> </ol>	Nil
Local Government Act 1995	Authority to appoint an Acting Chief Executive Officer in accordance with Council policy and for a term not exceeding three months	Nil
Local Government Act 1995	The authority to write-off debts and/or negotiate financial hardship arrangements with residents and ratepayers.	The writing off of rates and sundry debts to the value of \$100.00
Local Government Act 1995	Disposition of property (other than land) is an exempt disposition if its market value is less than \$20,000	Subject to s5.43(d) of the Act and r30(3a) of the Regulations the CEO can dispose of property (other than land) to a maximum value of \$20,000. All disposal of property in excess of this level is to be approved by the Council subject to s3.58.
Local Government Act 1995	authority to sell by calling for expressions of interest, holding a sale, or any other fair means, items of equipment, materials, tools etc. which are no longer required, or are outmoded or no longer serviceable.	The disposal of all surplus equipment, materials, tools etc, must not exceed a value of \$5,000 per unit. All matters in excess of \$5,000 per unit will authorised by the Council
Local Government Act 1995	The ability to make community donations	<p>Maximum limit of \$300 per donation</p> <p>Donations are subject to budget availability Annual expenditure not to exceed the amount designated in the annual budget</p>

## DELEGATIONS TO THE CHIEF EXECUTIVE OFFICER

LEGISLATION/ACT	POWER	CONDITIONS
Local Government Act 1995	Authority to approve applications for the consumption of liquor from property under the care, control and management of the Council	The Chief Executive Officer can approve the consumption of alcohol on Council premises, and must ensure that the applicant is aware of their requirements under state legislation and compliance with Council policy on using a Council Facility
Local Government Act 1995	Authority to seek expressions of interest before entering the tender process.	<p>If the local government thinks that there is a good reason to make a preliminary selection from prospective tenderers it may seek expressions of interest. There is good reason to make preliminary selection if, because of;</p> <ul style="list-style-type: none"> <li>• The nature of the goods or services required; or</li> <li>• The cost of preparing plans, specifications or other information for the purpose of adequately describing the goods or services required,</li> </ul> <p>it would be advantageous to the local government if tenders were only invited from persons it considers capable of satisfactorily supplying the goods or services.</p> <p>*Statewide public notice must be given. Refer r21.4</p>
Local Government Act 1995	Authority to invite tenders before entering into a contract for goods and services with a value of \$250,000 or more. Tenders do not have to be publicly invited according to the requirements, if the supply of the goods or services is to be obtained through the Council Purchasing Service of WALGA.	<p>Tenders must be called for the purchase of all goods over \$250,000 unless WALGA Council Purchasing Services are utilised which removes the requirement to Tender</p> <p>All tenders are to be approved by Council</p> <p>Tender documents must determine in writing the criteria for accepting tenders That tenders are for items approved in the budget</p>
Local Government Act 1995	Authority, with the approval of the tenderer, to make a minor variation in a contract for goods or services before it enters into the contract with the successful tenderer, without having to tender again.	The variation costs must be within the budget allocation. Any increased costs will require Council approval

## DELEGATIONS TO THE CHIEF EXECUTIVE OFFICER

LEGISLATION/ACT	POWER	CONDITIONS
<b>Local Government Act 1995</b>	Authority to sell or otherwise dispose of impounded goods that have not been collected within the period specified in subsection 2a and 2b.	<p>The local government may sell or otherwise dispose of impounded goods that have not been collected within the period specified in subsection 2b of</p> <p>a) A notice has been given under section 3.42(1)(b) or 3.44; or</p> <p>b) Being impounded if the local government has been unable, after making reasonable efforts to do so, to give that notice to the alleged offender.</p> <p>(2b) The period after which goods may be sold or otherwise disposed of under subsection (2a) is</p> <p>a) for perishable goods – 3 days;</p> <p>b) for animals – 7 days;</p> <p>c) abandoned vehicle wreck – 7 days.</p>
<b>Cat Act 2011</b>	Exercise of any of its powers or the discharge of any of its duties under another provision of the Cat Act.	The Chief Executive Officer will issue certificates of authorisation to authorised officers.
<b>Dog Act 1976</b>	administer and enforce the provisions of this Act. A person who is authorised by the Dog Act shall be furnished with a certificate.	The Chief Executive Officer will issue certificates of authorisation to authorised officers.
<b>Local Government Act 1995</b>	close any thoroughfare that it manages to the passage of vehicles, wholly or partially, for a period not exceeding 4 weeks.	Nil
<b>Local Government Act 1995</b>	Authority to give an owner or occupier of land a notice requiring them to do something to the land if it is specified in schedule 3.1 or other sections of the act. The local government must inform the owner, if the occupier is not the owner.	As specified in Schedule 3.1
<b>Local Government Act 1995</b>	<p>Authority to:</p> <ol style="list-style-type: none"> <li>1. Enter on to land to perform any function of the local government under Schedules 3.1 and 3.2 of the Act;</li> <li>2. Give a notice of entry (s. 3.32);</li> <li>3. Seek and execute an entry under warrant (s. 3.33);</li> <li>4. Execute entry in an emergency (s. 3.34)</li> <li>5. Give notice and effect entry by opening a fence (s. 3.36).</li> </ol>	As specified in Schedule 3.1
<b>Bush Fires Act 1954</b>	The performance of any of its functions under this act.	Nil
<b>Food Act 2008</b>	<ul style="list-style-type: none"> <li>• Serve Prohibition Order on food business</li> <li>• Issue Certification of Clearance</li> <li>• Reinspect a food business</li> </ul>	Nil

## DELEGATIONS TO THE CHIEF EXECUTIVE OFFICER

LEGISLATION/ACT	POWER	CONDITIONS
<b>Food Act 2008</b>	<ul style="list-style-type: none"> <li>Register a food business</li> <li>Grant or refuse application for a food business</li> <li>Vary the conditions or cancel the registration of a food business</li> </ul>	Nil
<b>Food Act 2008</b>	Initiate proceedings for an offence under s125 of the Food Act 2008	Nil
<b>Public Health Act 2016</b>	Authority to designate a person or class of persons as Authorised Officers for the purpose of fulfilling prescribed functions of the Public Health Act 2016. Authority to issue Certificates of Authority to persons designated as Authorised Officers.	The CEO may, at his discretion, refer any matter to Council for decision
<b>Building Act 2011</b>	<p>Authority for suitably qualified persons who, in the opinion of the Chief Executive Officer have the qualifications to undertake the roles and functions of a building surveyor, to administer Building Act 2011 sections to:</p> <p>Grant of building permit Grant of demolition permit Further grounds for not granting an application Conditions imposed by permit authority Occupancy permits and building approval certificates, further information Grant of occupancy permit, building approval certificate Conditions imposed by permit authority Extension of period of duration Building orders Revocation of building order Permit authority may give effect to building order if non-compliance; and Inspection, copies of building records.</p>	As specified in Schedule 3.1
<b>Building Act 2011</b>	<p>Authority to:</p> <ol style="list-style-type: none"> <li>1. Designate an employee as an authorised person under s. 96(3) of the Building Act 2011; and</li> <li>2. Limit the powers of an authorised person by imposing conditions on a person's instrument of designation or by written notice and at any time revoke or vary such condition or notice.</li> </ol>	CEO to be satisfied that authorised person is suitably qualified in accordance with s. 5.36(3) of the Local Government Act 1995.
<b>Local Government Act 1995</b>	The ability to authorise the payment of travel and relocation expenses for employees.	<p>May not authorise relocation expenses for the position of CEO. Expenses for the CEO must be approved by the Council. Expenses for employees to a total of 50% of the relocation expense, to a total value of \$1,000 can be authorised by the CEO. This does not apply to Managers who are covered by contract conditions Travel Expenses can be approved by the CEO up to \$500</p>

## DELEGATIONS TO THE CHIEF EXECUTIVE OFFICER

LEGISLATION/ACT	POWER	CONDITIONS
<b>Local Government Act 1995</b> <b>Transfer of Land Act 1893</b> <b>Land Administration Act 1997</b> <b>Strata Titles Act 1985</b>	Pursuant to Section 9.49(A) of the <i>Local Government Act 1995</i> , delegates authority to the Chief Executive Officer to sign the following documentation behalf of the Shire including lodgement, withdrawal, removal, withdrawal, surrender or modification: <ul style="list-style-type: none"> <li>• Notifications, covenants and easements under the Transfer of Land Act 1893</li> <li>• Reciprocal access and agreements</li> <li>• Rights of carriageway agreements</li> <li>• Caveats under the Transfer of Land Act 1893</li> <li>• Easements or deeds of easement under the Land Administration Act 1997 and or the Strata Titles Act 1985</li> </ul>	Nil

I, JOHN PETER BENTLEY, do hereby accept responsibility for the delegations assigned to my position as are detailed above.

\_\_\_\_\_

Officer Appointed

\_\_\_\_\_

Dated

**Delegated by:** Council of the Shire of Goomalling

**Resolution No:** \_\_\_\_\_

## DELEGATIONS TO THE MANAGER OF FINANCE/DEPUTY CEO

LEGISLATION/ACT	POWER	CONDITIONS
Local Government Act 1995	Authority to invest Council funds with approved financial institutions as approved by Council to achieve maximum investment potential.	Nil
Local Government Act 1995	Disposition of property (other than land) is an exempt disposition if its market value is less than \$20,000	Subject to s5.43(d) of the Act and r30(3a) of the Regulations the CEO can dispose of property (other than land) to a maximum value of \$20,000. All disposal of property in excess of this level is to be approved by the Council subject to s3.58.
Local Government Act 1995	Authority to approve applications for the consumption of liquor from property under the care, control and management of the Council	The Chief Executive Officer can approve the consumption of alcohol on Council premises, and must ensure that the applicant is aware of their requirements under state legislation and compliance with Council policy on using a Council Facility
Local Government Act 1995	Authority to seek expressions of interest before entering the tender process.	<p>If the local government thinks that there is a good reason to make a preliminary selection from prospective tenderers it may seek expressions of interest. There is good reason to make preliminary selection if, because of;</p> <ul style="list-style-type: none"> <li>• The nature of the goods or services required; or</li> <li>• The cost of preparing plans, specifications or other information for the purpose of adequately describing the goods or services required,</li> </ul> <p>it would be advantageous to the local government if tenders were only invited from persons it considers capable of satisfactorily supplying the goods or services.</p> <p>*Statewide public notice must be given. Refer r21.4</p>
Local Government Act 1995	Authority to invite tenders before entering into a contract for goods and services with a value of \$250,000 or more. Tenders do not have to be publicly invited according to the requirements, if the supply of the goods or services is to be obtained through the Council Purchasing Service of WALGA.	<p>Tenders must be called for the purchase of all goods over \$150,000 unless WALGA Council Purchasing Services are utilised which removes the requirement to Tender</p> <p>All tenders are to be approved by Council</p> <p>Tender documents must determine in writing the criteria for accepting tenders That tenders are for items approved in the budget</p>



## DELEGATIONS TO THE MANAGER OF FINANCE/DEPUTY CEO

LEGISLATION/ACT	POWER	CONDITIONS
Local Government Act 1995	Authority, with the approval of the tenderer, to make a minor variation in a contract for goods or services before it enters into the contract with the successful tenderer, without having to tender again.	The variation costs must be within the budget allocation. Any increased costs will require Council approval
Local Government Act 1995	Authority to sell or otherwise dispose of impounded goods that have not been collected within the period specified in subsection 2a and 2b.	<p>The local government may sell or otherwise dispose of impounded goods that have not been collected within the period specified in subsection 2b of</p> <p>a) A notice has been given under section 3.42(1)(b) or 3.44; or</p> <p>b) Being impounded if the local government has been unable, after making reasonable efforts to do so, to give that notice to the alleged offender.</p> <p>(2b) The period after which goods may be sold or otherwise disposed of under subsection (2a) is</p> <p>a) for perishable goods – 3 days;</p> <p>b) for animals – 7 days;</p> <p>c) abandoned vehicle wreck – 7 days.</p>
Cat Act 2011	exercise of any of its powers or the discharge of any of its duties under another provision of the Cat Act.	The Chief Executive Officer will issue certificates of authorisation to authorised officers.
Dog Act 1976	administer and enforce the provisions of this Act. A person who is authorised by the Dog Act shall be furnished with a certificate.	The Chief Executive Officer will issue certificates of authorisation to authorised officers.
Local Government Act 1995	Authority to give an owner or occupier of land a notice requiring them to do something to the land if it is specified in schedule 3.1 or other sections of the act. The local government must inform the owner, if the occupier is not the owner.	As specified in Schedule 3.1
Local Government Act 1995	<p>Authority to:</p> <ol style="list-style-type: none"> <li>1. Enter on to land to perform any function of the local government under Schedules 3.1 and 3.2 of the Act;</li> <li>2. Give a notice of entry (s. 3.32);</li> <li>3. Seek and execute an entry under warrant (s. 3.33);</li> <li>4. Execute entry in an emergency (s. 3.34)</li> <li>5. Give notice and effect entry by opening a fence (s. 3.36).</li> </ol>	As specified in Schedule 3.1

## DELEGATIONS TO THE MANAGER OF WORKS

LEGISLATION/ACT	POWER	CONDITIONS
Local Government Act 1995	Disposition of property (other than land) is an exempt disposition if its market value is less than \$20,000	Subject to s5.43(d) of the Act and r30(3a) of the Regulations the CEO can dispose of property (other than land) to a maximum value of \$20,000. All disposal of property in excess of this level is to be approved by the Council subject to s3.58.
Local Government Act 1995	Authority to approve applications for the consumption of liquor from property under the care, control and management of the Council	The Chief Executive Officer can approve the consumption of alcohol on Council premises, and must ensure that the applicant is aware of their requirements under state legislation and compliance with Council policy on using a Council Facility
Local Government Act 1995	Authority to seek expressions of interest before entering the tender process.	<p>If the local government thinks that there is a good reason to make a preliminary selection from prospective tenderers it may seek expressions of interest. There is good reason to make preliminary selection if, because of;</p> <ul style="list-style-type: none"> <li>• The nature of the goods or services required; or</li> <li>• The cost of preparing plans, specifications or other information for the purpose of adequately describing the goods or services required,</li> </ul> <p>it would be advantageous to the local government if tenders were only invited from persons it considers capable of satisfactorily supplying the goods or services.</p> <p>*Statewide public notice must be given. Refer r21.4</p>
Local Government Act 1995	Authority to invite tenders before entering into a contract for goods and services with a value of \$150,000 or more. Tenders do not have to be publicly invited according to the requirements, if the supply of the goods or services is to be obtained through the Council Purchasing Service of WALGA.	<p>Tenders must be called for the purchase of all goods over \$150,000 unless WALGA Council Purchasing Services are utilised which removes the requirement to Tender</p> <p>All tenders are to be approved by Council</p> <p>Tender documents must determine in writing the criteria for accepting tenders That tenders are for items approved in the budget</p>

## DELEGATIONS TO THE MANAGER OF WORKS

LEGISLATION/ACT	POWER	CONDITIONS
Local Government Act 1995	Authority, with the approval of the tenderer, to make a minor variation in a contract for goods or services before it enters into the contract with the successful tenderer, without having to tender again.	The variation costs must be within the budget allocation. Any increased costs will require Council approval
Local Government Act 1995	Authority to sell or otherwise dispose of impounded goods that have not been collected within the period specified in subsection 2a and 2b.	<p>The local government may sell or otherwise dispose of impounded goods that have not been collected within the period specified in subsection 2b of</p> <p>a) A notice has been given under section 3.42(1)(b) or 3.44; or</p> <p>b) Being impounded if the local government has been unable, after making reasonable efforts to do so, to give that notice to the alleged offender.</p> <p>(2b) The period after which goods may be sold or otherwise disposed of under subsection (2a) is</p> <p>a) for perishable goods – 3 days;</p> <p>b) for animals – 7 days;</p> <p>c) abandoned vehicle wreck – 7 days.</p>
Cat Act 2011	exercise of any of its powers or the discharge of any of its duties under another provision of the Cat Act.	The Chief Executive Officer will issue certificates of authorisation to authorised officers.
Dog Act 1976	administer and enforce the provisions of this Act. A person who is authorised by the Dog Act shall be furnished with a certificate.	The Chief Executive Officer will issue certificates of authorisation to authorised officers.
Local Government Act 1995	Close any thoroughfare that it manages to the passage of vehicles, wholly or partially, for a period not exceeding 4 weeks.	Nil
Local Government Act 1995	Authority to give an owner or occupier of land a notice requiring them to do something to the land if it is specified in schedule 3.1 or other sections of the act. The local government must inform the owner, if the occupier is not the owner.	As specified in Schedule 3.1
Local Government Act 1995	<p>Authority to:</p> <ol style="list-style-type: none"> <li>1. Enter on to land to perform any function of the local government under Schedules 3.1 and 3.2 of the Act;</li> <li>2. Give a notice of entry (s. 3.32);</li> <li>3. Seek and execute an entry under warrant (s. 3.33);</li> <li>4. Execute entry in an emergency (s. 3.34)</li> <li>5. Give notice and effect entry by opening a fence (s. 3.36).</li> </ol>	As specified in Schedule 3.1

## DELEGATIONS TO THE LEADING HAND

LEGISLATION/ACT	POWER	CONDITIONS
Cat Act 2011	Exercise of any powers or the discharge of any of its duties under another provision of the Cat Act.	The Chief Executive Officer will issue certificates of authorisation to authorised officers.
Local Government Act 1995	Authority to: <ol style="list-style-type: none"> <li>1. Enter on to land to perform any function of the local government under Schedules 3.1 and 3.2 of the Act;</li> <li>2. Give a notice of entry (s. 3.32);</li> <li>3. Seek and execute an entry under warrant (s. 3.33);</li> <li>4. Execute entry in an emergency (s. 3.34)</li> <li>5. Give notice and effect entry by opening a fence (s. 3.36).</li> </ol>	As specified in Schedule 3.1

## DELEGATIONS TO THE CONTRACT RANGER

LEGISLATION/ACT	POWER	CONDITIONS
Cat Act 2011	Exercise of any powers or the discharge of any of its duties under another provision of the Cat Act.	The Chief Executive Officer will issue certificates of authorisation to authorised officers.
Dog Act 1976	Administer and enforce the provisions of this Act. A person who is authorised by the Dog Act shall be furnished with a certificate.	The Chief Executive Officer will issue certificates of authorisation to authorised officers.
Local Government Act 1995	Authority to give an owner or occupier of land a notice requiring them to do something to the land if it is specified in schedule 3.1 or other sections of the act. The local government must inform the owner, if the occupier is not the owner.	As specified in Schedule 3.1
Local Government Act 1995	Authority to: <ol style="list-style-type: none"> <li>1. Enter on to land to perform any function of the local government under Schedules 3.1 and 3.2 of the Act;</li> <li>2. Give a notice of entry (s. 3.32);</li> <li>3. Seek and execute an entry under warrant (s. 3.33);</li> <li>4. Execute entry in an emergency (s. 3.34)</li> <li>5. Give notice and effect entry by opening a fence (s. 3.36).</li> </ol>	As specified in Schedule 3.1